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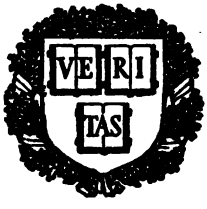
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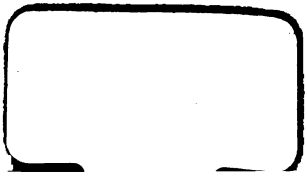
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THE

HISTORY

OF

SCOTLAND.

VOL. III.

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THE

HISTORY

OF

SCOTLAND

DURING THE REIGNS OF

QUEEN MARY and of KING JAMES VI.

TILL

His ACCESSION to the Crown of ENGLAND:

WITH A

REVIEW of the SCOTTISH HISTORY previous to that Period;
And an APPENDIX containing ORIGINAL PAPERS.

By WILLIAM ROBERTSON, D.D.

PRINCIPAL OF THE UNIVERSITY OF EDINBURGH,
AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

THE SEVENTEENTH EDITION,

With the AUTHOR's last Emendations and Additions.

To which is prefixed

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THE

HISTORY

OF

SCOTLAND.

BOOK VII.

BOOK VII.

1584. Throkmorton's conſpiracy againſt Elizabeth.

WHILE Scotland was torn by inteſtine factions, Elizabeth was alarmed with the rumour of a project in agitation for ſetting Mary at liberty. Francis Throkmorton, a Cheſhire gentleman was ſuſpected of being deeply concerned in the deſign, and on that ſuſpicion he was taken into cuſtody. Among his papers were found two liſts, one of the principal harbours in the kingdom, with an account of their ſituation, and of the depth of water in each; the other, of all the eminent Roman catholics in England. This circumſtance confirmed the ſuſpicion againſt him, and ſome dark and deſperate conſpiracy was ſuppoſed juſt ready to break out. At firſt he boldly avowed his innocence, and declared that the two papers were forged by the Queen's miniſters, in order to intimidate or enſnare him; and he even

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endured the rack with the utmoſt fortitude. But being brought a ſecond time to the place of torture, his reſolution failed him, and he not only acknowleged that he had held a ſecret correſpondence with the queen of Scots, but diſcovered a deſign that was formed to invade England. The duke of Guiſe, he ſaid, undertook to furniſh troops, and to conduct the enterpriſe. The pope and king of Spain were to ſupply the money neceſſary for carrying it on; all the Engliſh exiles were ready to take arms; many of the catholics at home would be ready to join them at their landing; Mendoza, the Spaniſh ambaſſador, who was the life of the conſpiracy, ſpared no pains in fomenting the ſpirit of diſaffection among the Engliſh, or in haſtening the preparations on the continent; and by his command, he made the two liſts, the copies whereof had been found in his poſſeſſion. This confeſſion he retracted at his trial; returned to it again after ſentence was paſſed upon him; and retracted it once more at the place of execution [z].

To us in the preſent age, who are aſſiſted in forming our opinion of this matter by the light which time and hiſtory have thrown upon the deſigns and characters of the princes of Guiſe, many circumſtances of Throkmorton's confeſſion appear to be extremely remote from truth, or even from probability. The duke of Guiſe was, at that juncture, far from being in a ſituation to undertake foreign conqueſts. Without either power or office at court; hated by the king, and perſecuted by the

[z] Hollingſhed, 1370.

favourites;

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favourites he had no leiſure for any thoughts of diſturbing the quiet of neighbouring ſtates; his vaſt and ambitious mind was wholly occupied in laying the foundation of that famous league which ſhook the throne of France. But at the time when Elizabeth detected this conſpiracy, the cloſe union between the houſe of Guiſe and Philip was remarkable to all Europe; and as their great enterpriſe againſt Henry III. was not yet diſcloſed, as they endeavoured to conceal that under their threatenings to invade England, Throkmorton's diſcovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wiſhed her downfal, thought that ſhe could not guard her kingdom with too much care. The indiſcreet zeal of the Engliſh exiles increaſed her fears. Not ſatisfied with inceſſant outcries againſt her ſeverity towards the Scottiſh queen, and her cruel perſecution of her catholic ſubjects, not thinking it enough that one pope had threatened her with the ſentence of excommunication, and another had actually pronounced it, they now began to diſperſe books and writings, in which they endeavoured to perſuade their diſciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her as Judith did Holofernes, and, by ſuch an illuſtrious deed, to render their own names honourable and ſacred in the church throughout all future ages[b]. For all theſe reaſons, Elizabeth not only inflicted the puniſhment of a traitor on Throk-

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Deſigns of Mary's adherents againſt Elizabeth.

[b] Camb. 497.

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1584. morton, but commanded the Spaniſh ambaſſador inſtantly to leave England; and that ſhe might be in no danger of being attacked within the iſland, ſhe determined to uſe her utmoſt efforts, in order to recover that influence over the Scottiſh councils, which ſhe had for ſome time entirely loſt.

She endeavours to re-eſtabliſh her influence in Scotland by gaining Arran.

THERE were three different methods by which Elizabeth might hope to accompliſh this; either by furniſhing ſuch effectual aid to the baniſhed nobles, as would enable them to reſume the chief direction of affairs; or by entering into ſuch a treaty with Mary, as might intimidate her ſon, who being now accuſtomed to govern, would not be averſe from agreeing to any terms rather than reſign the ſceptre, or admit an aſſociate in the throne; or by gaining the earl of Arran, to ſecure the direction of the king his maſter. The laſt was not only the eaſieſt and ſpeedieſt, but moſt likely to be ſucceſsful. This Elizabeth reſolved to purſue; but without laying the other two altogether aſide. With this view ſhe ſent Davidſon, one of her principal ſecretaries, a man of abilities and addreſs, into Scotland. A miniſter ſo venal as Arran, hated by his own countrymen, and holding his power by the moſt precarious of all tenures, the favour of a young prince, accepted Elizabeth's offers without heſitation, and deemed the acquiſition of her protection to be the moſt ſolid foundation of his own greatneſs. Soon after he conſented to an interview with lord Hunſdon, the governor of Berwick, and being honoured with the pompous title of lieutenant-general for the king, he appeared

Auguſt 13.

at

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at the place appointed with a ſplendid train. In Hunſdon's preſence he renewed his promiſes of an inviolable and faithful attachment to the Engliſh intereſt, and aſſured him that James ſhould enter into no negociation which might tend to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the ſame fears and jealouſies concerning the king's marriage, which had formerly diſquieted her with regard to his mother's, he undertook to prevent James from liſtening to any overture of that kind, until he had previouſly obtained the queen of England's conſent [c].

Severe proceedings againſt the baniſhed lords;

THE baniſhed lords and their adherents ſoon felt the effects of Arran's friendſhip with England. As Elizabeth had permitted them to take refuge in her dominions, and ſeveral of her miniſters were of opinion that ſhe ought to employ her arms in defence of their cauſe, the fear of this was the only thing which reſtrained James and his favourite from proceeding to ſuch extremities againſt them, as might have excited the pity or indignation of the Engliſh, and have prompted them to exert themſelves with vigour in their behalf. But every apprehenſion of this kind being now removed, they ventured to call a parliament, in which an act was paſſed, attainting Angus, Mar, Glamis, and a great number of their followers. Their eſtates devolved to the crown, and according to the practice of the Scottiſh monarchs, who were obliged to reward the faction which adhered to them, by dividing with it the ſpoils of the vanquiſhed, James dealt

Auguſt 22.

[c] Cald. iii. 491. Melv. 315. See Append. No. XLIII.

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out the greater part of theſe to Arran and his aſſociates [d].

1584. againſt the clergy.

Nor was the treatment of the clergy leſs rigorous. All miniſters, readers, and profeſſors in colleges, were enjoined to ſubſcribe, within forty days, a paper teſtifying their approbation of the laws concerning the church enacted in laſt parliament. Many, overawed or corrupted by the court, yielded obedience; others ſtood out. The ſtipends of the latter were ſequeſtered, ſome of the more active committed to priſon, and numbers compelled to fly the kingdom. Such as complied, fell under the ſuſpicion of acting from mercenary or ambitious motives. Such as adhered to their principles, and ſuffered in conſequence of it, acquired high reputation, by giving this convincing evidence of their firmneſs and ſincerity. The judicatories of the church were almoſt entirely ſuppreſſed. In ſome places ſcarce as many miniſters remained, as to perform the duties of religious worſhip; they ſoon ſunk in reputation among the people, and being prohibited not only from diſcourſing of public affairs, but obliged, by the jealouſy of the adminiſtration, to frame every ſentiment and expreſſion in ſuch a manner as to give the court no offence, their ſermons were deemed languid, inſipid, and contemptible; and it became the general opinion, that, together with the moſt virtuous of the nobles and the moſt faithful of the clergy, the power and vigour of religion were now baniſhed out of the kingdom [e].

[d] Cald. iii. 527. [e] Ibid. iii. 589.

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MEANWHILE, Elizabeth was carrying on one of thoſe fruitleſs negociations with the queen of Scots, which it had become almoſt matter of form to renew every year. They ſerved not only to amuſe that unhappy princeſs with ſome proſpect of liberty; but furniſhed an apology for eluding the ſolicitations of foreign powers in her behalf; and were of uſe to overawe James, by ſhewing him that ſhe could at any time ſet free a dangerous rival to diſpute his authority. Theſe treaties ſhe ſuffered to proceed to what length ſhe pleaſed, and never wanted a pretence for breaking them off, when they became no longer neceſſary. The treaty now on foot was not, perhaps, more ſincere than many which preceded it; the reaſons, however, which rendered it ineffectual were far from being frivolous.

New conſpiracy againſt Elizabeth.

As Crichton, a Jeſuit, was ſailing from Flanders towards Scotland, the ſhip on board of which he was a paſſenger happened to be chaſed by pirates, who, in that age, often infeſted the narrow ſeas. Crichton, in great confuſion, tore in pieces ſome papers in his cuſtody, and threw them away; but, by a very extraordinary accident, the wind blew them back into the ſhip, and they were immediately taken up by ſome of the paſſengers, who carried them to Wade, the clerk of the privy council. He, with great induſtry and patience, joined them together, and they were found to contain the account of a plot, ſaid to have been formed by the king of Spain and the Duke of Guiſe, for invading England. The people were not yet recovered from the fear and anxiety occaſioned by the con-

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ſpiracy in which Throkmorton had been engaged, and as his diſcoveries appeared now to be confirmed by additional evidence, not only all their former apprehenſions recurred, but the conſternation became general and exceſſive. As all the dangers with which England had been threatened for ſome years, flowed either immediately from Mary herſelf, or from ſuch as made uſe of her name to juſtify their inſurrections and conſpiracies, this gradually diminiſhed the compaſſion due to her ſituation, and the Engliſh, inſtead of pitying, began to fear and to hate her. Elizabeth, under whoſe wiſe and pacific reign the Engliſh enjoyed tranquillity, and had opened ſources of wealth unknown to their anceſtors, was extremely beloved by all her people; and regard to her ſafety, not leſs than to their own intereſt, animated them againſt the Scottiſh queen. In order to diſcourage her adherents, it was thought neceſſary to convince them, by ſome public deed, of the attachment of the Engliſh to their own ſovereign, and that any attempt againſt her life would prove fatal to her rival. With this view an *aſſociation* was framed, the ſubſcribers of which bound themſelves by the moſt ſolemn oaths, "to "defend the queen againſt all her enemies, foreign and domeſtic; and if violence ſhould be "offered to her life, in order to favour the title of "any pretender to the crown, they not only engaged never to allow or acknowledge the perſon "or perſons by whom, or for whom, ſuch a deteſtable act ſhould be committed, but vowed, in "the preſence of the eternal God, to proſecute "ſuch

Occaſions an aſſociation in oppoſition to Mary;

October 19.

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"such person or persons to the death, and to pursue them, with their utmost vengeance, to their "utter overthrow and extirpation[f]." Persons of all ranks subscribed this combination with the greatest eagerness and unanimity[g]. 1584.

MARY considered this association, not only as an avowed design to exclude her from all right of succession, but as the certain and immediate forerunner of her destruction. In order to avert this, she made such feeble efforts as were still in her power, and sent Naué, her secretary, to court, with offers of more entire resignation to the will of Elizabeth, in every point, which had been the occasion of their long enmity, than all her sufferings hitherto had been able to extort[h]. But whether Mary adhered inflexibly to her privileges as an independent sovereign, or, yielding to the necessity of her situation, endeavoured, by concessions, to sooth her rival, she was equally unsuccessful. Her firmness was imputed to obstinacy, or to the secret hope of foreign assistance; her concessions were either believed to be insincere, or to flow from the fear of some imminent danger. Her present willingness, however, to comply with any terms was so great, that Walsingham warmly urged his mistress to come to a final agreement with her[i]. But Elizabeth was persuaded, that it was the spirit raised by the association which had rendered her so passive and compliant. She always imagined that there was something mysterious and deceitful in all Mary's actions, and suspected her

which greatly alarms her.

[f] State Trials, i. 122. [g] Camd. 499. [h] Id. ib.
[i] See App. No. XLIV.

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of carrying on a dangerous correſpondence with the Engliſh catholics, both within and without the kingdom. Nor were her ſuſpicions altogether void of foundation. Mary had, about this time, written a letter to ſir Francis Inglefield, urging him to haſten the execution of what ſhe calls the *Great Plot or Deſignment*, without heſitating on account of any danger in which it might involve her life, which ſhe would moſt willingly part with, if, by that ſacrifice, ſhe could procure relief for ſo great a number of the oppreſſed children of the church [k]. Inſtead, therefore, of hearkening to the overtures which the Scottiſh queen made, or granting any mitigation of the hardſhips of which ſhe complained, Elizabeth reſolved to take her out of the hands of the earl of Shrewſbury, and to appoint ſir Amias Paulet and ſir Drue Drury to be her keepers. Shrewſbury had diſcharged his truſt with great fidelity, during fifteen years, but, at the ſame time, had treated Mary with gentleneſs and reſpect, and had always ſweetened harſh commands by the humanity with which he put them in execution. The ſame politeneſs was not to be expected from men of an inferior rank, whoſe ſevere vigilance, perhaps, was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment [l].

She is treated with greater rigour.

As James was no leſs eager than ever to deprive the baniſhed nobles of Elizabeth's protection, he appointed the maſter of Gray his ambaſſador to the court of England, and intruſted him with the

Gray, a new favourite of the king's.

[k] Strype, iii. 246.

[l] Camd. 500.

conduct

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conduct of a negociation for that purpose. For this honour he was indebted to the envy and jealousy of the earl of Arran. Gray possessed all the talents of a courtier; a graceful person, an insinuating address, boundless ambition, and a restless and intriguing spirit. During his residence in France, he had been admitted into the most intimate familiarity with the duke of Guise, and, in order to gain his favour, had renounced the protestant religion, and professed the utmost zeal for the captive queen, who carried on a secret correspondence with him, from which she expected great advantages. On his return into Scotland, he paid court to James with extraordinary assiduity, and his accomplishments did not fail to make their usual impression on the king's heart. Arran, who had introduced him, began quickly to dread his growing favour; and flattering himself, that absence would efface any sentiments of tenderness, which were forming in the mind of a young prince, pointed him out, by his malicious praises, as the most proper person in the kingdom for an embassy of such importance; and contributed to raise him to that high dignity, in order to hasten his fall. Elizabeth, who had an admirable dexterity in discovering the proper instruments for carrying on her designs, endeavoured, by caresses, and by presents, to secure Gray to her interest. The former flattered his vanity, which was great; the latter supplied his profuseness, which was still greater. He abandoned himself without reserve to Elizabeth's direction, and not only undertook to retain the

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1584. the king under the influence of England, but acted as a spy upon the Scottish queen, and betrayed to her rival every secret that he could draw from her by his high pretensions of zeal in her service [m].

His interest with the court of England.

GRAY's credit with the English court was extremely galling to the banished nobles. Elizabeth no longer thought of employing her power to restore them; she found it easier to govern Scotland by corrupting the king's favourites; and, in com-

Decem. 31. pliance with Gray's solicitations, she commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correspondence with their partisans in Scotland, and almost impossible to return thither without her permission. Gray, by gaining a point which James had so much at heart, rivetted himself more firmly than ever in his favour; and, by acquiring greater reputation, became capable of serving Elizabeth with greater success [n].

1585. Arran's corruption and insolence.

ARRAN had now possessed for some time all the power, the riches, and the honours, that his immoderate ambition could desire, or the fondness of a prince, who set no limits to his liberality towards his favourites, could bestow. The office of lord chancellor, the highest and most important in the kingdom, was conferred upon him, even during the life of the earl of Argyll, who succeeded Athol in that dignity [o]; and the public beheld,

[m] Strype, iii. 302. Melv. 316. [n] Cald. iii. 643.
[o] Crawf. Offic. of State, App. 447.

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with aſtoniſhment and indignation, a man educated as a ſoldier of fortune, ignorant of law, and a contemner of juſtice, appointed to preſide in parliament, in the privy council, in the court of ſeſſion, and entruſted with the ſupreme diſpoſal of the property of his fellow-ſubjects. He was, at the ſame time, governor of the caſtles of Stirling and Edinburgh, the two principal forts in Scotland; provoſt of the city of Edinburgh; and as if by all theſe accumulated dignities his merits were not ſufficiently recompenſed, he had been created lieutenant-general over the whole kingdom. No perſon was admitted into the king's preſence without his permiſſion; no favour could be obtained but by his mediation. James, occupied with youthful amuſements, devolved upon him the whole regal authority. Such unmerited elevation increaſed his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a ſubject, but pretended to derive his pedigree from Murdo duke of Albany; and boaſted openly, that his title to the crown was preferable to that of the king himſelf. But, together with theſe thoughts of royalty, he retained the meanneſs ſuitable to his primitive indigence. His venality as a judge was ſcandalous, and was exceeded only by that of his wife, who, in defiance of decency, made herſelf a party in almoſt every ſuit which came to be decided, employed her influence to corrupt or overawe the judges, and almoſt openly dictated their deciſions[p]. His

[p] Cald. iii. 331. Scotſtarvet's Staggering State, 7.

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rapaciouſneſs as a miniſter was inſatiable. Not ſatisfied with the revenues of ſo many offices; with the eſtate and honours which belonged to the family of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his ſhare; he graſped at the poſſeſſions of ſeveral of the nobles. He required lord Maxwell to exchange part of his eſtate, for the forfeited lands of Kinneil; and becauſe he was unwilling to quit an ancient inheritance for a poſſeſſion ſo precarious, he ſtirred up againſt him his hereditary rival, the laird of Johnſton, and involved that corner of the kingdom in a civil war. He committed to priſon the earl of Athol, lord Home, and the maſter of Caſſils; the firſt, becauſe he would not divorce his wife, the daughter of the earl of Gowrie, and entail his eſtate on him; the ſecond, becauſe he was unwilling to part with ſome lands adjacent to one of Arran's eſtates; and the third, for refuſing to lend him money. His ſpies and informers filled the whole country, and intruded themſelves into every company. The neareſt neighbours diſtruſted and feared each other. All familiar ſociety was at an end. Even the common intercourſes of humanity were interrupted, no man knowing in whom to confide, or where to utter his complaints. There is not perhaps in hiſtory an example of a miniſter ſo univerſally deteſtable to a nation, or who more juſtly deſerved its deteſtation [q].

ARRAN, notwithſtanding, regardleſs of the ſentiments, and deſpiſing the murmurs of the people,

[q] Spotſw. 337, 338.

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gave a looſe to his natural temper, and proceeded to acts ſtill more violent. David Home of Argaty, and Patrick his brother, having received letters from one of the baniſhed lords, about private buſineſs, were condemned and put to death, for holding correſpondence with rebels. Cunninghame of Drumwhaſel, and Douglas of Mains, two gentlemen of honour and reputation, were accuſed of having conſpired with the exiled nobles to ſeize the king's perſon. A ſingle witneſs only appeared; the evidence they produced of their innocence was unanſwerable; their accuſer himſelf not long after acknowledged that he had been ſuborned by Arran; and all men believed the charge againſt them to be groundleſs; they were found guilty, notwithſtanding, and ſuffered the death of traitors[r]. 1585. Feb. 9.

Parry's conſpiracy againſt Elizabeth.

ABOUT the ſame time that theſe gentlemen were puniſhed for a pretended conſpiracy, Elizabeth's life was endangered by a real one. Parry, a doctor of laws, and a member of the houſe of commons, a man vain and fantaſtic, but of a reſolute ſpirit, had lately been reconciled to the church of Rome; and fraught with the zeal of a new convert, he offered to demonſtrate the ſincerity of his attachment to the religion which he had embraced, by killing Elizabeth. Cardinal Allen had publiſhed a book, to prove the murder of an excommunicated prince to be not only lawful, but a meritorious action. The pope's nuncio at Venice, the jeſuits both there and at Paris, the Engliſh exiles,

[r] Spotſw. 338. Cald. iii. 794.

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all approved of the design. The Pope himself exhorted him to persevere; and granted him for his encouragement, a plenary indulgence, and remission of his sins. Cardinal di Como wrote to him a letter to the same purpose. But though he often got access to the queen, fear, or some remaining sense of duty, restrained him from perpetrating the crime. Happily his intention was at last discovered by Nevil, the only person in England to whom he had communicated it; and having himself voluntarily confessed his guilt, he suffered the punishment which it deserved[s].

March 2.

A severe statute, which proved fatal to Mary.

THESE repeated conspiracies against their sovereign awakened the indignation of the English parliament, and produced a very extraordinary statute, which, in the end, proved fatal to the queen of Scots. By this law the association in defence of Elizabeth's life was ratified, and it was further enacted, "That if any rebellion shall be excited "in the kingdom, or any thing attempted to the "hurt of her majesty's person, *by or for* any per- "son pretending a title to the crown, the queen "shall empower twenty-four persons, by a com- "mission under the great seal, to examine into, "and pass sentence upon such offences; and after "judgment given, a proclamation shall be issued, "declaring the persons whom they find guilty, "excluded from any right to the crown; and her "majesty's subjects may lawfully pursue every "one of them to the death, with all their aiders "and abettors; and if any design against the life

[s] State Trials, vol. i. 103.

"of

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"of the queen take effect, the perſons *by or for* "whom ſuch a deteſtable act is executed, and *their* "*iſſues*, being in any wiſe aſſenting or privy to "the ſame, ſhall be diſabled for ever from pre- "tending to the crown, and be purſued to death in "the like manner[t]." This act was plainly levelled at the queen of Scots; and, whether we conſider it as a voluntary expreſſion of the zeal and concern of the nation for Elizabeth's ſafety, or whether we impute it to the influence which that artful princeſs preſerved over her parliaments, it is no eaſy matter to reconcile it with the general principles of juſtice or humanity. Mary was thereby rendered accountable not only for her own actions, but for thoſe of others; in conſequence of which ſhe might forfeit her right of ſucceſſion, and even her life itſelf.

The rigour with which ſhe was treated, increaſed.

MARY juſtly conſidered this act as a warning to prepare for the worſt extremities. Elizabeth's miniſters, it is probable, had reſolved by this time to take away her life; and ſuffered books to be publiſhed, in order to perſuade the nation that this cruel and unprecedented meaſure was not only neceſſary but juſt[u]. Even that ſhort period of her days which remained, they rendered uncomfortable, by every hardſhip and indignity which it was in their power to inflict. Almoſt all her ſervants were diſmiſſed, ſhe was treated no longer with the reſpect due to a queen; and, though the rigour of ſeventeen years impriſonment had broken

[t] State Trials, vol. i. 123.

[u] Strype, iii. 299.

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1585. her conſtitution, ſhe was confined to two ruinous chambers, ſcarcely habitable, even in the middle of ſummer, by reaſon of cold. Notwithſtanding the ſcantineſs of her revenue, ſhe had been accuſtomed to diſtribute regularly ſome alms among the poor in the village adjoining to the caſtle. Paulet now refuſed her liberty to perform this pious and humane office, which had afforded her great conſolation amidſt her own ſufferings. The caſtle in which ſhe reſided was converted into a common priſon; and a young man, ſuſpected of popery, was confined there, and treated under her eye with ſuch rigour, that he died of the ill uſage. She often complained to Elizabeth of theſe multiplied injuries, and expoſtulated as became a woman and a queen; but as no political reaſon now obliged that princeſs to amuſe her any longer with fallacious hopes, far from granting her any redreſs, ſhe did not even deign to give her any anſwer. The king of France, cloſely allied to Elizabeth, on whom he depended for aſſiſtance againſt his rebellious ſubjects, was afraid of eſpouſing Mary's cauſe with any warmth; and all his ſolicitations in her behalf were feeble, formal, and inefficacious. But Caſtelnau, the French ambaſſador, whoſe compaſſion and zeal for the unhappy queen ſupplied the defects in his inſtructions, remonſtrated with ſuch vigour againſt the indignities to which ſhe was expoſed, that by his importunity, he prevailed at length to have her removed to Tuthbury; though ſhe was confined the greater part

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part of another winter in her preſent wretched habitation*.

1585. A breach between Mary and her ſon.

NEITHER the inſults of her enemies, nor the neglect of her friends, made ſuch an impreſſion on Mary, as the ingratitude of her ſon. James had hitherto treated his mother with filial reſpect, and had even entered into negociations with her, which gave umbrage to Elizabeth. But as it was not the intereſt of the Engliſh queen that his good correſpondence ſhould continue, Gray, who, on his return into Scotland, found his favour with the king greatly increaſed by the ſucceſs of his embaſſy, perſuaded him to write a harſh and undutiful letter to his mother, in which he expreſsly refuſed to acknowledge her to be queen of Scotland, or to conſider his affairs as connected, in any wiſe, with hers. This cruel requital of her maternal tenderneſs overwhelmed Mary with ſorrow and deſpair. "Was it for this," ſaid ſhe, in March 24. a letter to the French ambaſſador, "that I have "endured ſo much, in order to preſerve for him "the inheritance to which I have a juſt right? I am "far from envying his authority in Scotland. I "deſire no power there; nor wiſh to ſet my foot "in that kingdom, if it were not for the pleaſure "of once embracing a ſon, whom I have hitherto "loved with too tender affection. Whatever he "either enjoys or expects, he derived it from me. "From him I never received aſſiſtance, ſupply, "or benefit of any kind. Let not my allies treat "him any longer as a king: he holds that dignity

* Jebb, vol. ii. 576—598.

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"by my consent; and if a speedy repentance do "not appease my just resentment, I will load him "with a parent's curse, and surrender my crown, "with all my pretensions, to one who will receive "them with gratitude, and defend them with "vigour[y]." The love which James bore to his mother, whom he had never known, and whom he had been early taught to consider as one of the most abandoned persons of her sex, cannot be supposed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigoted attachment to popery, prompted Mary at any time to think seriously of disinheriting her son; or whether these threatenings were uttered in a sudden sally of disappointed affection, it is now no easy matter to determine. Some papers which are still extant seem to render the former not improbable[z].

Dangerous situation of Elizabeth;

CARES of another kind, and no less disquieting, occupied Elizabeth's thoughts. The calm which she had long enjoyed, seemed now to be at an end; and such storms were gathering in every quarter, as filled her with just alarm. All the neighbouring nations had undergone revolutions extremely to her disadvantage. The great qualities which Henry III. had displayed in his youth, and which raised the expectations of his subjects so high, vanished on his ascending the throne; and his acquiring supreme power seems not only to

[y] Murdin, 566. Jebb, ii. 571. See Append. No. XLV.
[z] See Append. No. XLVI.

have

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have corrupted his heart, but to have impaired his underſtanding. He ſoon loſt the eſteem and affection of the nation; and a life divided between the auſterities of a ſuperſtitious devotion, and the extravagancies of the moſt diſſolute debauchery, rendered him as contemptible as he was odious on account of his rapaciouſneſs, his profuſion, and the fondneſs with which he doated on many unworthy minions. On the death of his only brother, thoſe ſentiments of the people burſt out with violence. Henry had no children, and though but thirty-two years of age, the ſucceſſion of the crown was already conſidered as open. The king of Navarre, a diſtant deſcendant of the royal family, but the undoubted heir to the crown, was a zealous proteſtant. The proſpect of an event ſo fatal to their religion, as his aſcending the throne of France, alarmed all the catholics in Europe; and induced the duke of Guiſe, countenanced by the pope, and aided by the king of Spain, to appear as the defender of the Romiſh faith, and the aſſerter of the cardinal of Bourbon's right to the crown. In order to unite the party, a bond of confederacy was formed, diſtinguiſhed by the name of the *Holy League*. All ranks of men joined in it with emulation. The ſpirit ſpread with the irreſiſtible rapidity which was natural to religious paſſions in that age. The deſtruction of the Reformation, not only in France, but all over Europe, ſeemed to be the object and wiſh of the whole party; and the duke of Guiſe, the head of this mighty and zealous body, acquired authority in the kingdom,

from the progreſs of the League;

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1585. from the power of Philip II.

far ſuperior to that which the king himſelf poſſeſſed. Philip II. by the conqueſt of Portugal, had greatly increaſed the naval power of Spain, and had at laſt reduced under his dominion all that portion of the continent which lies beyond the Pyrenean mountains, and which nature ſeems to have deſtined to form one great monarchy. William prince of Orange, who firſt encouraged the inhabitants of the Netherlands to aſſert their liberties, and whoſe wiſdom and valour formed and protected the riſing commonwealth, had fallen by the hands of an aſſaſſin. The ſuperior genius of the prince of Parma had given an entire turn to the fate of war in the Low-Countries; all his enterpriſes, concerted with conſummate ſkill, and executed with equal bravery, had been attended with ſucceſs; and the Dutch, reduced to the laſt extremity, were on the point of falling under the dominion of their ancient maſter.

Her wiſe and vigorous conduct.

NONE of thoſe circumſtances, to which Elizabeth had hitherto owed her ſecurity, exiſted any longer. She could derive no advantage from the jealouſy which had ſubſiſted between France and Spain; Philip, by means of his confederacy with the duke of Guiſe, had an equal ſway in the councils of both kingdoms. The hugonots were unable to contend with the power of the league; and little could be expected from any diverſion which they might create. Nor was it probable that the Netherlands could long employ the arms, or divide the ſtrength of Spain. In this ſituation of the affairs of Europe, it became neceſſary for Elizabeth

to

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to form a new plan of conduct; and her wisdom in forming it was not greater than the vigour with which she carried it on. The measures most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those which she now adopted were enterprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness which averted danger from her own dominions. She immediately furnished the hugonots with a considerable supply in money. She carried on a private negociation with Henry III. who, though compelled to join the league, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the protestant princes, in opposition to the popish league. She determined to proceed with the utmost rigour against the queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours, in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

Resolves to punish Mary, and to gain the king.

She found it no difficult matter to induce most of the Scottish courtiers to promote all her designs. Gray, sir John Maitland, who had been advanced to the office of secretary, which his brother for-

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merly held, sir Lewis Bellenden, the justice clerk, who had succeeded Gray as the king's resident at London, were the persons in whom she chiefly confided. In order to direct and quicken their motions, she dispatched sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred, and entertaining; he excelled in all the exercises for which James had a passion, and amused the young king by relating the adventures which he had met with, and the observations he had made during a long residence in foreign countries; but, under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James, and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which was indecent for a stranger to possess[a].

May 29.

Proposes a league with Scotland.

NOTHING, however, could be more acceptable to the nation, than the proposal which he made of a strict alliance between the two kingdoms, in defence of the reformed religion. The rapid and alarming progress of the popish league seemed to call on all protestant princes to unite for the preservation of their common faith. James embraced the overture with warmth, and a convention of estates empowered him to conclude such a treaty, and engaged to ratify it in parliament[b]. The alacrity with which James concurred in this measure must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Eliza-

July 29.

[a] Melv. 317. [b] Spotsw. 339.

beth's

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beth's liberality. As a mark of her motherly affection for the young king, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her before she ascended the throne. This circumstance, which she took care to mention, rendered a sum, which in that age was far from being inconsiderable, a very acceptable present to the king, whose revenues, during a long minority, had been almost totally dissipated [c]. 1585.

But the chief object of Wotton's intrigues was to ruin Arran. While a minion so odious to the nation continued to govern the king, his assistance could be of little advantage to Elizabeth. And though Arran, ever since his interview with Hunsdon, had appeared extremely for her interest, she could place no great confidence in a man whose conduct was so capricious and irregular, and who, notwithstanding his protestations to the contrary, still continued a secret correspondence both with Mary and with the duke of Guise. The banished lords were attached to England from affection as well as principle, and were the only persons among the Scots whom, in any dangerous exigency, she could thoroughly trust. Before Bellenden left London, they had been summoned thither, under colour of vindicating themselves from his accusations, but, in reality, to concert with him the most proper measures for restoring them to their country. Wotton pursued this plan, and endeavoured to

Undermines Arran's power.

[c] Cald. iii. 505.

ripen

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1585. ripen it for execution; and it was greatly facilitated by an event neither uncommon nor conſiderable. Sir John Forſter, and Ker of Ferniherſt, the Engliſh and Scottiſh wardens of the middle marches, having met, according to the cuſtom of the borders, about midſummer, a fray aroſe, and lord Ruſſel, the earl of Bedford's eldeſt ſon, happened to be killed. This ſcuffle was purely accidental, but Elizabeth choſe to conſider it as a deſign formed by Ker, at the inſtigation of Arran, to involve the two kingdoms in war. She inſiſted that both ſhould be delivered up to her; and, though James eluded that demand, he was obliged to confine Arran in St. Andrew's, and Ker in Aberdeen. During his abſence from court, Wotton and his aſſociates carried on their intrigues without interruption. By their advice, the baniſhed nobles endeavoured to accommodate their differences with lord John and lord Claud, the duke of Chatelherault's two ſons, whom Morton's violence had driven out of the kingdom. Their common ſufferings, and common intereſt, induced both parties to bury in oblivion the ancient diſcord which had ſubſiſted between the houſes of Hamilton and Douglas. By Elizabeth's permiſſion, they returned in a body to the borders of Scotland. Arran, who had again recovered favour, inſiſted on putting the kingdom in a poſture of defence; but Gray, Bellenden, and Maitland, ſecretly thwarted all his meaſures. Some neceſſary orders they prevented from being iſſued; others

Aſſiſts the baniſhed nobles.

Oct. 16.

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others, they rendered ineffectual by the manner of execution; and all of them were obeyed ſlowly, and with reluctance [d].

WOTTON's fertile brain was, at the ſame time, big with another and more dangerous plot. He had contrived to ſeize the king, and to carry him by force into England. But the deſign was happily diſcovered; and, in order to avoid the puniſhment which his treachery merited, he departed without taking leave [e].

They return into Scotland, and are reconciled to the king.

MEANWHILE the baniſhed lords haſtened the execution of their enterpriſe; and, as their friends and vaſſals were now ready to join them, they entered Scotland. Wherever they came, they were welcomed as the deliverers of their country, and the moſt fervent prayers were addreſſed to Heaven for the ſucceſs of their arms. They advanced, without loſing a moment, towards Stirling, at the head of ten thouſand men. The king, though he had aſſembled an army ſuperior in number, could not venture to meet them in the field, with troops whoſe loyalty was extremely dubious, and who at beſt were far from being hearty in the cauſe; nor was either the town or caſtle provided for a ſiege. The gates, however, of both were ſhut, and the nobles encamped at St. Ninian's. That ſame night Nov. 2. they ſurpriſed the town, or, more probably, it was betrayed into their hands; and Arran, who had undertaken to defend it, was obliged to ſave himſelf by a precipitate flight. Next morning they inveſted the caſtle, in which there were not proviſions for

[d] Spotſw. 340. [e] Melv. 335.

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twenty-four hours; and James was neceſſitated im mediately to hearken to terms of accommodation They were not ſo elated with ſucceſs as to urg extravagant demands, nor was the king unwillin to make every reaſonable conceſſion. They ob tained a pardon, in the moſt ample form, of all th offences which they had committed; the principa forts in the kingdom were, by way of ſecurity, pu into their hands; Crawford, Montroſe, and colone Stewart, were removed from the king's preſence and a parliament was called, in order to eſtabliſ tranquillity in the nation[f].

A parliament. Dec. 10.

THOUGH a great majority in this parliamen conſiſted of the confederate nobles and their adhe rents, they were far from diſcovering a vindictiv ſpirit. Satisfied with procuring an act, reſtorin them to their ancient honours and eſtates, and rati fying the pardon granted by the king, they ſeeme willing to forget all paſt errors in the adminiſtra tion, and ſpared James the mortification of ſeein his miniſters branded with any public note of in famy. Arran alone, deprived of all his honour ſtripped of his borrowed ſpoils, and declared a enemy to his country by public proclamation, fun back into obſcurity, and muſt henceforth be men tioned by his primitive title of captain Jame Stewart. As he had been, during his unmerite proſperity, the object of the hatred and indig nation of his countrymen, they beheld his fa without pity, nor did all his ſufferings mitigat their reſentment in the leaſt degree.

[f] Cald. iii. 795.

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1585. Church affairs.

THE clergy were the only body of men who obtained no redreſs of their grievances by this revolution. The confederate nobles had all along affected to be conſidered as guardians of the privileges and diſcipline of the church. In all their manifeſtos they had declared their reſolution to reſtore theſe, and by that popular pretence had gained many friends. It was now natural to expect ſome fruit of theſe promiſes, and ſome returns of gratitude towards many of the moſt eminent preachers who had ſuffered in their cauſe, and who demanded the repeal of the laws paſſed the preceding year. The king, however, was reſolute to maintain theſe laws in full authority; and as the nobles were extremely ſolicitous not to diſguſt him, by inſiſting on any diſagreeable requeſt, the claims of the church in this, as well as in many other inſtances, were ſacrificed to the intereſt of the laity. The miniſters gave vent to their indignation in the pulpit, and their impatience under the diſappointment broke out in ſome expreſſions extremely diſreſpectful even towards the king himſelf[g].

1586.

THE archbiſhop of St. Andrew's, too, felt the effects of their anger. The provincial ſynod of Fife ſummoned him to appear, and to anſwer for his contempt of the decrees of former aſſemblies, in preſuming to exerciſe the functions of a biſhop. Though he refuſed to acknowledge the juriſdiction of the court, and appealed from it to the king, a ſentence of excommunication, equally indecent and irregular, was pronounced againſt him. Adam-

[g] Spotſw. 343.

ſon,

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fon, with no leſs indecency, thundered his archiepiſcopal excommunication againſt Melvil, and ſome other of his opponents.

April 13. Soon after, a general aſſembly was held, in which the king, with ſome difficulty, obtained an act, permitting the name and office of biſhop ſtill to continue in the church. The power of the order, however, was conſiderably retrenched. The exerciſe of diſcipline, and the inſpection of the life and doctrine of the clergy, were committed to preſbyteries, in which biſhops ſhould be allowed no other pre-eminence but that of preſiding as perpetual moderators. They themſelves were declared to be ſubject, in the ſame manner as other paſtors, to the juriſdiction of the general aſſembly. As the diſcuſſion of the archbiſhop's appeal might have kindled unuſual heats in the aſſembly, that affair was terminated by a compromiſe. He renounced any claim of ſupremacy over the church, and promiſed to demean himſelf ſuitably to the character of a biſhop, as deſcribed by St. Paul. The aſſembly, without examining the foundations of the ſentence of excommunication, declared that it ſhould be held of no effect, and reſtored him to all the privileges which he enjoyed before it was pronounced. Notwithſtanding the extraordinary tenderneſs ſhewn for the honour of the ſynod, and the delicacy and reſpect with which its juriſdiction was treated, ſeveral members were ſo zealous as to proteſt againſt this deciſion [h].

[h] Cald. iii. 894. Spotſw. 346.

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1586. A league with England concluded.

THE court of Scotland was now filled with perſons ſo warmly attached to Elizabeth, that the league between the two kingdoms, which had been propoſed laſt year, met with no interruption, but from D'Eſneval, the French envoy. James himſelf firſt offered to renew the negociation. Elizabeth did not ſuffer ſuch a favourable opportunity to ſlip, and inſtantly diſpatched Randolph to conclude a treaty, which ſhe ſo much deſired. The July 5. danger to which the proteſtant religion was expoſed, by the late combination of the popiſh powers for its deſtruction, and the neceſſity of a ſtrict confederacy among thoſe who had embraced the Reformation, in order to obſtruct their pernicious deſigns, were mentioned as the foundation of the league. The chief articles in it were, that both parties ſhould bind themſelves to defend the evangelical religion; that the league ſhould be offenſive and defenſive againſt all who ſhall endeavour to diſturb the exerciſe of religion in either kingdom; that if one of the two parties be invaded, the other, notwithſtanding any former alliance, ſhould not, directly or indirectly, aſſiſt the invader; that if England be invaded in any part remote from Scotland, James ſhould aſſiſt the queen with two thouſand horſe and five thouſand foot; that if the enemy landed or approached within ſixty miles of Scotland, the king ſhould take the field with his whole forces, in the ſame manner as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it ſhould be invaded. At the ſame time

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time ſhe aſſured the king that no ſtep ſhould be taken, which might derogate in any degree from his pretenſions to the Engliſh crown[i]. Elizabeth expreſſed great ſatisfaction with a treaty, which rendered Scotland an uſeful ally, inſtead of a dangerous neighbour, and afforded her a degree of ſecurity on that ſide, which all her anceſtors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the bleſſings of peace, which both kingdoms had enjoyed during a conſiderable period, had ſo far abated the violence of national antipathy, that the king's conduct was univerſally acceptable to his own people[k].

THE acquittal of Archibald Douglas, at this time, expoſed James to much and deſerved cenſure. This man was deeply engaged in the conſpiracy againſt the life of the king his father. Both Morton and Binny, one of his own ſervants, who ſuffered for that crime, had accuſed him of being preſent at the murder[l]. He had eſcaped puniſhment by flying into England, and James had often required Elizabeth to deliver up a perſon ſo unworthy of her protection. He now obtained a licence, from the king himſelf, to return into Scotland; and, after undergoing a mock-trial, calculated to conceal, rather than to detect his guilt, he was not only taken into favour by the king, but ſent back to the court of England, with the honourable character of his ambaſſador. James was

[i] Spotſw. 351. [k] Camd. 513.
[l] See Append. No. XLVII. Arnot, Crim. Trials, 7, &c.

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now of such an age, that his youth and inexperience cannot be pleaded in excuse for this indecent transaction. It must be imputed to the excessive facility of his temper, which often led him to gratify his courtiers at the expence of his own dignity and reputation [m]. 1586.

Not long after, the inconsiderate affection of the English catholics towards Mary, and their implacable resentment against Elizabeth, gave rise to a conspiracy which proved fatal to the one queen, left an indelible stain on the reputation of the other, and presented a spectacle to Europe, of which there had been hitherto no example in the history of mankind. Rise of Babington's conspiracy against Elizabeth.

Doctor Gifford, Gilbert Gifford, and Hodgson, priests educated in the seminary at Rheims, had adopted an extravagant and enthusiastic notion, that the bull of Pius V. against Elizabeth was dictated immediately by the Holy Ghost. This wild opinion they instilled into Savage, an officer in the Spanish army, noted for his furious zeal and daring courage; and persuaded him that no service could be so acceptable to Heaven, as to take away the life of an excommunicated heretic. Savage, eager to obtain the crown of martyrdom, bound himself by a solemn vow to kill Elizabeth. April 26. Ballard, a pragmatical priest of that seminary, had at that time come over to Paris, and solicited Mendoza, the Spanish ambassador there, to procure an invasion of England, while the affairs of the league were so prosperous, and the kingdom left naked

[m] Spotsw. 348. Cald. iii. 917.

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by ſending ſo many of the queen's beſt troops into the Netherlands. Paget and the Engliſh exiles demonſtrated the fruitleſſneſs of ſuch an attempt, unleſs Elizabeth were firſt cut off, or the invaders ſecured of a powerful concurrence on their landing. If it could be hoped that either of theſe events would happen, effectual aid was promiſed; and in the mean time Ballard was ſent back to renew his intrigues.

May 15.

He communicated his deſigns to Anthony Babington, a young gentleman in Derbyſhire, of a large fortune and many amiable qualities, who having contracted, during his reſidence in France, a familiarity with the archbiſhop of Glaſgow, had been recommended by him to the queen of Scots. He concurred with Paget, in conſidering the death of Elizabeth as a neceſſary preliminary to any invaſion. Ballard gave him hopes that an end would ſoon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to ſtrike the blow. But Babington thought the attempt of too much importance, to rely on a ſingle hand for the execution of it, and propoſed that five reſolute gentlemen ſhould be joined with Savage in an enterpriſe, the ſucceſs of which was the foundation of all their hopes. He offered to find out perſons willing to undertake the ſervice, whoſe honour, ſecrecy, and courage, they might ſafely truſt. He accordingly opened the matter to Edward Windſor, Thomas Saliſbury, Charles Tilney, Chidioc Tichbourne, Robert Gage, John Travers, Robert Barnwell, John

4 Charnock,

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Charnock, Henry Dun, John Jones, and Robert Polly; all of them, except Polly, whoſe buſtling forward zeal introduced him into their ſociety, gentlemen of good families, united together in the bonds of private friendſhip, ſtrengthened by the more powerful tie of religious zeal. Many conſultations were held; their plan of operations was at laſt ſettled; and their different parts aſſigned. Babington himſelf was appointed to reſcue the queen of Scots; Saliſbury, with ſome others, undertook to excite ſeveral counties to take arms; the murder of the queen, the moſt dangerous and important ſervice of all, fell to Tichbourne and Savage, with four aſſociates. So totally had their bigotted prejudices extinguiſhed the principles of honour, and the ſentiments of humanity ſuitable to their rank, that, without ſcruple or compunction, they undertook an action which is viewed with horror, even when committed by the meaneſt and moſt profligate of mankind. This attempt, on the contrary, appeared to them no leſs honourable than it was deſperate; and, in order to perpetuate the memory of it, they had a picture drawn, containing the portraits of the ſix aſſaſſins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in ſome hazardous deſign.

June. The ſcheme of the conſpirators.

THE conſpirators, as appears by this wanton and imprudent inſtance of vanity, ſeem to have thought a diſcovery hardly poſſible, and neither diſtruſted the fidelity of their companions, nor doubted the ſucceſs of their undertaking. But while they believed that their machinations were

Diſcovered by Walſingham.

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1586. carried on with the moſt profound and impenetrable ſecrecy, every ſtep they took was fully known to Walſingham. Polly was one of his ſpies, and had entered into the conſpiracy, with no other deſign than to betray his aſſociates. Gilbert Gifford too, having been ſent over to England to quicken the motions of the conſpirators, had been gained by Walſingham, and gave him ſure intelligence of all their projects. That vigilant miniſter immediately imparted the diſcoveries which he had made to Elizabeth; and, without communicating the matter to any other of the counſellors, they agreed, in order to underſtand the plot more perfectly, to wait until it was ripened into ſome form, and brought near the point of execution.

They are ſeized and puniſhed. Auguſt 4.

AT laſt, Elizabeth thought it dangerous and criminal to expoſe her own life, and to tempt Providence any farther. Ballard, the prime mover in the whole conſpiracy, was arreſted. His aſſociates, diſconcerted and ſtruck with aſtoniſhment, endeavoured to ſave themſelves by flight. But within a few days, all of them, except Windſor, were ſeized in different places of the kingdom, and committed to the Tower. Though they had undertaken the part, they wanted the firm and determined ſpirit of aſſaſſins; and, influenced by fear or by hope, at once confeſſed all that they knew. The indignation of the people, and their impatience to revenge ſuch an execrable combination againſt the life of their ſovereign, haſtened their trial, and all

Sept. 20. of them ſuffered the death of traitors [n].

[n] Camd. 515. State Trials, vol. i. 110.

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THUS far Elizabeth's conduct may be pronounced both prudent and laudable, nor can she be accused of violating any law of humanity, or of taking any precautions beyond what were necessary for her own safety. But a tragical scene followed, with regard to which posterity will pass a very different judgment.

1586. Mary is accused of being an accomplice in the conspiracy.

THE frantic zeal of a few rash young men accounts sufficiently for all the wild and wicked designs which they had formed. But this was not the light in which Elizabeth and her ministers chose to place the conspiracy. They wished to persuade the nation, that Babington and his associates should be considered merely as instruments employed by the queen of Scots, the real though secret author of so many attempts against the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they ascribed to her, in support of this charge. These, as they gave out, had come into their hands by the following singular and mysterious method of conveyance. Gifford, on his return into England, had been trusted by some of the exiles with letters to Mary; but, in order to make a trial of his fidelity and address, they were only blank papers made up in that form. These being safely delivered by him, he was afterwards employed without farther scruple. Walsingham having found means to gain this man, he, by the permission of that minister, and the connivance of Paulet, bribed a tradesman in the neighbourhood of Chartley, whither Mary had been conveyed, who deposited the letters in a hole in

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the wall of the caſtle, covered with a looſe ſtone. Thence they were taken by the queen, and in the ſame manner her anſwers returned. All theſe were carried to Walſingham, opened by him, decypher-ed, ſealed again ſo dexterouſly that the fraud could not be perceived, and then tranſmitted to the per-ſons to whom they were directed. Two letters to Babington, with ſeveral to Mendoza, Paget, Engle-field, and the Engliſh fugitives, were procured by this artifice. It was given out, that in theſe letters Mary approved of the conſpiracy, and even of the aſſaſſination; that ſhe directed them to proceed with the utmoſt circumſpection, and not to take arms until foreign auxiliaries were ready to join them; that ſhe recommended the earl of Arundel, his brothers, and the young earl of Northumber-land, as proper perſons to conduct and to add re-putation to their enterpriſe; that ſhe adviſed them, if poſſible, to excite at the ſame time ſome commo-tion in Ireland; and, above all, beſought them to concert with care the means of her own eſcape, ſuggeſting to them ſeveral expedients for that pur-poſe.

The indig-nation of the Engliſh againſt her on that ac-count.

ALL theſe circumſtances were opened at the trial of the conſpirators; and while the nation was under the influence of thoſe terrors which the aſſo-ciation had raiſed, and the late danger had aug-mented, they were believed without heſitation or inquiry, and ſpread a general alarm. Mary's zeal for her religion was well known; and in that age, examples of the violent and ſanguinary ſpirit which it inſpired were numerous. All the cabals againſt the

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the peace of the kingdom for many years had been carried on in her name; and it now appears evidently, ſaid the Engliſh, that the ſafety of the one queen is incompatible with that of the other. Why then, added they, ſhould the tranquillity of England be ſacrificed for the ſake of a ſtranger? Why is a life ſo dear to the nation expoſed to the repeated aſſaults of an exaſperated rival? The caſe ſuppoſed in the aſſociation has now happened, the ſacred perſon of our ſovereign has been threatened, and why ſhould not an injured people execute that juſt vengeance which they had vowed?

Elizabeth reſolves to proceed to the utmoſt extremities againſt her.

No ſentiments could be more agreeable than theſe to Elizabeth and her miniſters. They themſelves had at firſt propagated them among the people, and they now ſerved both as an apology and a motive for their proceeding to ſuch extremities againſt the Scottiſh queen as they had long meditated. The more numerous the injuries were which Elizabeth had heaped on Mary, the more ſhe feared and hated that unhappy queen, and came at laſt to be perſuaded that there could be no other ſecurity for her own life, but the death of her rival. Burleigh and Walſingham had promoted ſo zealouſly all Elizabeth's meaſures with regard to Scottiſh affairs, and had acted with ſo little reſerve in oppoſition to Mary, that they had reaſon to dread the moſt violent effects of her reſentment, if ever ſhe ſhould mount the throne of England. From this additional conſideration they endeavoured, with the utmoſt earneſtneſs, to hinder an event ſo fatal to themſelves, by confirming their miſtreſs's fear and hatred of the Scottiſh queen.

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1586. Her domestics, papers, &c. seized.

MEANWHILE, Mary was guarded with unusual vigilance, and great care was taken to keep her ignorant of the discovery of the conspiracy. Sir Thomas Gorges was at last sent from court to acquaint her both of it, and of the imputation with which she was loaded as accessary to that crime, and he surprised her with the account just as she had got on horseback to ride out along with her keepers. She was struck with astonishment, and would have returned to her apartment, but she was not permitted; and, in her absence, her private closet was broke open, her cabinet and papers were seized, sealed, and sent up to court. Her principal domestics too were arrested, and committed to different keepers. Nau and Curle, her two secretaries, the one a native of France, the other of Scotland, were carried prisoners to London. All the money in her custody, amounting to little more than two thousand pounds, was secured [o]. And, after leading her about for some days, from one gentleman's house to another, she was conveyed to Fotheringay, a strong castle in Northamptonshire [p].

Deliberates concerning the method of proceeding.

No farther evidence could now be expected against Mary, and nothing remained but to decide what should be her fate. With regard to this, Elizabeth, and those ministers in whom she chiefly confided, seem to have taken their resolution; but there was still great variety of sentiments among her other counsellors. Some thought it sufficient to dismiss all Mary's attendants, and to keep her under such close restraint, as would cut off all possibility of corresponding with the enemies of the

[o] See Appendix, No. XLVIII. [p] Camd. 517.

kingdom;

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kingdom; and as her conſtitution, broken by long confinement, and her ſpirit, dejected with ſo many ſorrows, could not long ſupport ſuch an additional load, the queen and nation would ſoon be delivered from all their fears. But though it might be eaſy to ſecure Mary's own perſon, it was impoſſible to diminiſh the reverence which the Roman catholics had for her name, or to extinguiſh the compaſſion with which they viewed her ſufferings; while ſuch ſentiments continued, inſurrections and invaſions would never be wanting for her relief, and the only effect of any new rigour would be to render theſe attempts more frequent and more dangerous. For this reaſon the expedient was rejected.

Determines to try her publicly.

A PUBLIC and legal trial, though the moſt unexampled, was judged the moſt unexceptionable method of proceeding; and it had, at the ſame time, a ſemblance of juſtice, accompanied with an air of dignity. It was in vain to ſearch the ancient records for any ſtatute or precedent to juſtify ſuch an uncommon ſtep, as the trial of a foreign prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings againſt her were founded on the act of laſt parliament, and by applying it in this manner, the intention of thoſe who had framed that ſevere ſtatute became more apparent [q].

ELIZABETH reſolved that no circumſtance of pomp or ſolemnity ſhould be wanting, which could render this tranſaction ſuch as became the dignity of the perſon to be tried. She appointed, by a

[q] Camd. 519. Johnſt. Hiſt. 113.

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commiſſion under the great ſeal, forty perſons, the moſt illuſtrious in the kingdom by their birth or offices, together with five of the judges, to hear and decide this great cauſe. Many difficulties were ſtarted by the lawyers about the name and title by which Mary ſhould be arraigned; and, while the eſſentials of juſtice were ſo groſsly violated, the empty forms of it were the objects of their care. They at length agreed that ſhe ſhould be ſtyled "Mary, daughter and heir of James V. late king "of Scots, commonly called queen of Scots and "dowager of France[r]."

AFTER the many indignities which ſhe had lately ſuffered, Mary could no longer doubt but that her deſtruction was determined. She expected every moment to end her days by poiſon, or by ſome of thoſe ſecret means uſually employed againſt captive princes. Leſt the malice of her enemies, at the ſame time that it deprived her of life, ſhould endeavour likewiſe to blaſt her reputation, ſhe wrote to the duke of Guiſe, and vindicated herſelf in the ſtrongeſt terms, from the imputation of encouraging or of being acceſſary to the conſpiracy for aſſaſſinating Elizabeth[s]. In the ſolitude of her priſon, the ſtrange reſolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing ſo unprecedented, and ſo repugnant to regal majeſty, once enter into her thoughts.

The trial at Fotheringay.

ON the eleventh of October, the commiſſioners appointed by Elizabeth arrived at Fotheringay. Next morning they delivered a letter from their ſove-

[r] Strype, iii. 362. [s] Jebb, ii. 283.

reig-

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reign to Mary, in which, after the bitterest reproaches and accusations, she informed her, that regard for the happiness of the nation had at last rendered it necessary to make a public enquiry into her conduct, and therefore required her, as she had lived so long under the protection of the laws of England, to submit now to the trial which they ordained to be taken of her crimes. Mary, though surprised at this message, was neither appalled at the danger, nor unmindful of her own dignity. She protested, in the most solemn manner, that she was innocent of the crime laid to her charge, and had never countenanced any attempt against the life of the queen of England; but, at the same time, refused to acknowledge the jurisdiction of her commissioners. "I came into the kingdom," said she, "an independent sovereign, to implore the "queen's assistance, not to subject myself to her "authority. Nor is my spirit so broken by its past "misfortunes, or so intimidated by present dan-"gers, as to stoop to any thing unbecoming the "majesty of a crowned head, or that will disgrace "the ancestors from whom I am descended, and "the son to whom I shall leave my throne. If I "must be tried, princes alone can be my peers. "The queen of England's subjects, however noble "their birth may be, are of a rank inferior to "mine. Ever since my arrival in this kingdom I "have been confined as a prisoner. Its laws never "afforded me any protection. Let them not now "be perverted, in order to take away my life."

Mary refuses at first to plead.

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THE commiſſioners employed arguments and intreaties to overcome Mary's reſolution. They even threatened to proceed according to the forms of law, and to paſs ſentence againſt her on account of her contumacy in refuſing to plead; ſhe perſiſted, however, for two days, to decline their juriſdiction. An argument, uſed by Hatton, the vice-chamberlain, at laſt prevailed. He told her, that, by avoiding a trial, ſhe injured her own reputation, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the queen their miſtreſs, than to be convinced, by undoubted evidence, that ſhe had been unjuſtly loaded with foul aſperſions.

Conſents however to do ſo.

No wonder pretexts ſo plauſible ſhould impoſe on the unwary queen, or that ſhe, unaſſiſted at that time by any friend or counſellor, ſhould not be able to detect and elude all the artifices of Elizabeth's ableſt miniſters. In a ſituation equally melancholy, and under circumſtances nearly ſimilar, her grandſon, Charles I. refuſed, with the utmoſt firmneſs, to acknowledge the uſurped juriſdiction of the high court of juſtice; and poſterity has approved his conduct, as ſuitable to the dignity of a king. If Mary was leſs conſtant in her reſolution, it muſt be imputed ſolely to her anxious deſire of vindicating her own honour.

Oct. 14.

AT her appearance before the judges, who were ſeated in the great hall of the caſtle, where the received her with much ceremony, ſhe took care to proteſt, that by condeſcending to hear and gi

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give an anſwer to the accuſations which ſhould be brought againſt her, ſhe neither acknowledged the juriſdiction of the court, nor admitted the validity and juſtice of thoſe acts by which they pretended to try her.

THE chancellor, by a counter-proteſtation, endeavoured to vindicate the authority of the court.

The accuſation againſt her.

THEN Elizabeth's attorney and ſolicitor opened the charge againſt her, with all the circumſtances of the late conſpiracy. Copies of Mary's letters to Mendoza, Babington, Engleſield, and Paget, were produced. Babington's confeſſion, thoſe of Ballard, Savage, and the other conſpirators, together with the declarations of Nau and Curle, her ſecretaries, were read, and the whole ranged in the moſt ſpecious order which the art of the lawyers could deviſe, and heightened by every colour their eloquence could add.

MARY liſtened to their harangues attentively, and without emotion. But at the mention of the earl of Arundel's name, who was then confined in the Tower, ſhe broke out into this tender and generous exclamation; "Alas, how much "has the noble houſe of Howard ſuffered for my "ſake!"

Her defence.

WHEN the queen's counſel had finiſhed, Mary ſtood up, and with great magnanimity, and equal preſence of mind, began her defence. She bewailed the unhappineſs of her own ſituation, that after a captivity of nineteen years, during which ſhe had ſuffered treatment no leſs cruel than unmerited, ſhe was at laſt loaded with an accuſation, which tended

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tended not only to rob her of her right of ſucceſſion, and to deprive her of life itſelf, but to tranſmit her name with infamy to future ages: that, without regarding the ſacred rights of ſovereignty, ſhe was now ſubjected to laws framed againſt private perſons; though an anointed queen, commanded to appear before the tribunal of ſubjects; and, like a common criminal, her honour expoſed to the petulant tongues of lawyers, capable of wreſting her words, and of miſrepreſenting her actions: that, even in this diſhonourable ſituation, ſhe was denied the privileges uſually granted to criminals, and obliged to undertake her own defence, without the preſence of any friend with whom to adviſe, without the aid of counſel, and without the uſe of her own papers.

She then proceeded to the particular articles in the accuſation. She abſolutely denied any correſpondence with Babington or Ballard: copies only of her pretended letters to them were produced; though nothing leſs than her hand-writing or ſubſcription was ſufficient to convict her of ſuch an odious crime: no proof could be brought that their letters were delivered into her hands, or that any anſwer was returned by her direction; the confeſſions of wretches condemned and executed for ſuch a deteſtable action, were of little weight; fear or hope might extort from them many things inconſiſtent with truth, nor ought the honour of a queen to be ſtained by ſuch vile teſtimony. The declaration of her ſecretaries was not more concluſive: promiſes and threats might eaſily overcome the

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the reſolution of two ſtrangers; in order to ſcreen themſelves, they might throw the blame on her; but they could diſcover nothing to her prejudice, without violating, in the firſt place, the oath of fidelity which they had ſworn to her; and their perjury, in one inſtance, rendered them unworthy of credit in another: the letters to the Spaniſh ambaſſador were either nothing more than copies, or contained only what was perfectly innocent: "I "have often," continued ſhe, "made ſuch efforts "for the recovery of my liberty, as are natural to "a human creature. Convinced, by the ſad ex- "perience of ſo many years, that it was vain to "expect it from the juſtice or generoſity of the "queen of England, I have frequently ſolicited fo- "reign princes, and called upon all my friends to "employ their whole intereſt for my relief. I have "likewiſe endeavoured to procure for the Eng- "liſh catholics ſome mitigation of the rigour with "which they are now treated; and if I could hope, "by my death, to deliver them from oppreſſion, "I am willing to die for their ſake. I wiſh, how- "ever, to imitate the example of Eſther, not of "Judith, and would rather make interceſſion for "my people, than ſhed the blood of the meaneſt "creature, in order to ſave them. I have often "checked the intemperate zeal of my adherents, "when either the ſeverity of their own perſecu- "tions, or indignation at the unheard-of injuries "which I have endured, were apt to precipitate "them into violent councils. I have even warned "the queen of dangers to which theſe harſh pro- "ceedings

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"ceedings expoſed herſelf. And worn out, as I "now am, with cares and ſufferings, the proſpect "of a crown is not ſo inviting, that I ſhould ruin "my ſoul in order to obtain it. I am no ſtranger "to the feelings of humanity, nor unacquainted "with the duties of religion, and abhor the de- "teſtable crime of aſſaſſination, as equally repug- "nant to both. And, if ever I have given con- "ſent by my words, or even by my thoughts, to "any attempt againſt the life of the queen of Eng- "land, far from declining the judgment of men, I "ſhall not even pray for the mercy of God[t]."

Two different days did Mary appear before the judges, and in every part of her behaviour maintained the magnanimity of a queen, tempered with the gentleneſs and modeſty of a woman.

Sentence againſt her. October 25.

THE commiſſioners, by Elizabeth's expreſs command, adjourned, without pronouncing any ſentence, to the ſtar-chamber in Weſtminſter. When aſſembled in that place, Nau and Curle were brought into court, and confirmed their former declaration upon oath; and, after reviewing all their proceedings, the commiſſioners unanimouſly declared Mary "To be acceſſary to Babington's "conſpiracy, and to have imagined diverſe mat- "ters tending to the hurt, death, and deſtruction of "Elizabeth, contrary to the expreſs words of the "ſtatute made for the ſecurity of the queen's "life[u]."

Irregularities in the trial.

IT is no eaſy matter to determine whether the injuſtice in appointing this trial, or the irregularity

[t] Camd. 520, &c. [u] Ibid. 525.

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in conducting it, were greateſt and moſt flagrant. By what right did Elizabeth claim authority over an independent queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the ſubjects of another prince become her judges? or if ſuch an inſult on royalty were allowed, ought not the common forms of juſtice to have been obſerved? If the teſtimony of Babington and his aſſociates were ſo explicit, why did not Elizabeth ſpare them for a few weeks, and by confronting them with Mary, overwhelm her with the full conviction of her crimes? Nau and Curle were both alive, wherefore did not they appear at Fotheringay, and for what reaſon were they produced in the ſtar-chamber, where Mary was not preſent to hear what they depoſed? Was this ſuſpicious evidence enough to condemn a queen? Ought the meaneſt criminal to have been found guilty upon ſuch feeble and inconcluſive proofs?

It was not, however, on the evidence produced at her trial, that the ſentence againſt Mary was founded. That ſerved as a pretence to juſtify, but was not the cauſe of the violent ſteps taken by Elizabeth and her miniſters towards her deſtruction; and was employed to give ſome appearance of juſtice to what was the offspring of jealouſy and fear. The nation, blinded with reſentment againſt Mary, and ſolicitous to ſecure the life of its own ſovereign from every danger, obſerved no irregularities in the proceedings, and attended to no defects in the proof, but graſped at the ſuſpicions and probabilities, as if they had been irrefragable demonſtrations.

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1586. The parliament confirm the ſentence,

THE parliament met a few days after ſentence was pronounced againſt Mary. In that illuſtrious aſſembly more temper and diſcernment than are to be found among the people, might have been expected. Both lords and commons, however, were equally under the dominion of popular prejudices and paſſions, and the ſame exceſſes of zeal, or of fear, which prevailed in the nation, are apparent in all their proceedings. They entered with impatience upon an inquiry into the conſpiracy, and the danger which threatened the queen's life as well as the peace of the kingdom. All the papers which had been produced at Fotheringay were laid before them; and, after many violent invectives againſt the queen of Scots, both houſes unanimouſly ratified the proceedings of the commiſſioners by whom ſhe had been tried, and declared the ſentence againſt her to be juſt and well founded.

and demand the execution of it.

Not ſatisfied with this, they preſented a joint addreſs to the queen, beſeeching her, as ſhe regarded her own ſafety, the preſervation of the proteſtant religion, the welfare and wiſhes of her people, to publiſh the ſentence; and without farther delay to inflict on a rival, no leſs irreclaimable than dangerous, the puniſhment which ſhe had merited by ſo many crimes. This requeſt, dictated by fears unworthy of that great aſſembly, was enforced by reaſons ſtill more unworthy. They were drawn not from juſtice but from conveniency. The moſt rigorous confinement, it was pretended, could not curb Mary's intriguing ſpirit; her addreſs was found, by long experience, to be an overmatch for the vigilance and jealouſy of all her keepers; the ſevereſt

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severest penal laws could not restrain her adherents, who, while they believed her person to be sacred, would despise any danger to which themselves alone were exposed: several foreign princes were ready to second their attempts, and waited only a proper opportunity for invading the kingdom, and asserting the Scottish queen's title to the crown. Her life, they contended, was, for these reasons, incompatible with Elizabeth's safety; and if she were spared out of a false clemency, the queen's person, the religion and liberties of the kingdom, could not be one moment secure. Necessity required that she should be sacrificed in order to preserve these; and to prove this sacrifice to be no less just than necessary, several examples in history were produced, and many texts of scripture quoted; but both the one and the other were misapplied, and distorted from their true meaning.

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Nothing, however, could be more acceptable to Elizabeth, than an address in this strain. It extricated her out of a situation extremely embarrassing; and, without depriving her of the power of sparing, it enabled her to punish her rival with less appearance of blame. If she chose the former, the whole honour would redound to her own clemency. If she determined on the latter, whatever was rigorous might now seem to be extorted by the solicitations of her people, rather than to flow from her own inclination. Her answer, however, was in a style which she often used, ambiguous and evasive, under the appearance of openness and candour; full of such professions of regard for her

Elizabeth's dissimulation.

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people, as ſerved to heighten their loyalty; of ſuch complaints of Mary's ingratitude, as were calculated to excite their indignation; and of ſuch inſinuations that her own life was in danger, as could not fail to keep alive their fears. In the end, ſhe beſought them to ſave her the infamy and the pain of delivering up a queen, her neareſt kinſwoman to puniſhment; and to conſider whether it might not ſtill be poſſible to provide for the public ſecurity, without forcing her to imbrue her hands in royal blood.

THE true meaning of this reply was eaſily underſtood. The lords and commons renewed their former requeſt with additional importunity, which was far from being either unexpected or offenſive. Elizabeth did not return any anſwer more explicit; and having obtained ſuch a public ſanction of her proceedings, there was no longer any reaſon for protracting this ſcene of diſſimulation; there was even ſome danger that her feigned difficulties might at laſt be treated as real ones; ſhe therefore prorogued the parliament, and reſerved in her own hands the ſole diſpoſal of her rival's fate[x].

France interpoſes feebly in behalf of Mary.

ALL the princes in Europe obſerved the proceedings againſt Mary with aſtoniſhment and horror; and even Henry III. notwithſtanding his known averſion to the houſe of Guiſe, was obliged to interpoſe in her behalf, and to appear in defence of the common rights of royalty. Aubeſpine, his reſident ambaſſador, and Bellievre, who was ſent with an extraordinary commiſſion to the ſame pur-

[x] Camd. 526. D'Ewes, 375.

poſe

poſe, interceded for Mary with great appearance of warmth. They employed all the arguments which the cauſe naturally ſuggeſted; they pleaded from juſtice, from generoſity, and humanity; they intermingled reproaches and threats; but to all theſe Elizabeth continued deaf and inexorable; and having received ſome intimation of Henry's real unconcern about the fate of the Scottiſh queen, and knowing his antipathy to all the race of Guiſe, ſhe truſted that theſe loud remonſtrances would be followed by no violent reſentment [y].

James endeavours to ſave his mother's life.

She paid no greater regard to the ſolicitations of the Scottiſh king, which, as they were urged with greater ſincerity, merited more attention. Though her commiſſioners had been extremely careful to ſooth James, by publiſhing a declaration that their ſentence againſt Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly poſſeſſed; he beheld the indignities to which his mother had been expoſed with filial concern, and with the ſentiments which became a king. The pride of the Scottiſh nation was rouſed, by the inſult offered to the blood of their monarchs, and called upon him to employ the moſt vigorous efforts, in order to prevent or to revenge the queen's death.

At firſt, he could hardly believe that Elizabeth would venture upon an action ſo unprecedented, which tended ſo viſibly to render the perſons of princes leſs ſacred in the eyes of the people, and which degraded the regal dignity, of which, at

[y] Camd. 531.

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other times, ſhe was ſo remarkably jealous. But as ſoon as the extraordinary ſteps which ſhe took diſcovered her intention, he diſpatched Sir William Keith to London; who, together with Douglas, his ambaſſador in ordinary, remonſtrated, in the ſtrongeſt terms, againſt the injury done to an independent queen, in ſubjecting her to be tried like a private perſon, and by laws to which ſhe owed no obedience; and beſought Elizabeth not to add to this injury by ſuffering a ſentence unjuſt in itſelf, as well as diſhonourable to the king of Scots, to be put into execution [z].

ELIZABETH returning no anſwer to theſe remonſtrances of his ambaſſador, James wrote to her with his own hand, complaining in the bittereſt terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her friendſhip, and to act as became a ſon when called to revenge his mother's wrongs [a]. At the ſame time he aſſembled the nobles, who promiſed to ſtand by him in ſo good a cauſe. He appointed ambaſſadors to France, Spain, and Denmark, in order to implore the aid of theſe courts; and took other ſteps towards executing his threats with vigour. The high ſtrain of his letter enraged Elizabeth to ſuch a degree, that ſhe was ready to diſmiſs his ambaſſadors without any reply. But his preparations alarmed and embarraſſed her miniſters, and at their entreaty ſhe returned a ſoft and evaſive anſwer, promiſing to liſten to any overture from

[z] See Append. No. XLIX. Murdin, 573, &c. Birch. Mem. i. 52. [a] Birch. Mem. i. 52.

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the king, that tended to his mother's ſafety; and to ſuſpend the execution of the ſentence, until the arrival of new ambaſſadors from Scotland [b].

Dec. 6. The ſentence againſt Mary publiſhed.

MEANWHILE, ſhe commanded the ſentence againſt Mary to be publiſhed, and forgot not to inform the people, that this was extorted from her by the repeated entreaty of both houſes of parliament. At the ſame time ſhe diſpatched lord Buckhurſt and Beale to acquaint Mary with the ſentence, and how importunately the nation demanded the execution of it; and though ſhe had not hitherto yielded to theſe ſolicitations, ſhe adviſed her to prepare for an event which might become neceſſary for ſecuring the proteſtant religion, as well as quieting the minds of the people. Mary received the meſſage not only without ſymptoms of fear, but with expreſſions of triumph. "No wonder," ſaid ſhe, "the Engliſh ſhould now thirſt for the blood "of a foreign prince, they have often offered vio- "lence to their own monarchs. But after ſo many "ſufferings, death comes to me as a welcome de- "liverer. I am proud to think that my life is "deemed of importance to the catholic religion, "and as a martyr for it I am now willing to die [c]."

She is treated with the utmoſt rigour.

AFTER the publication of the ſentence, Mary was ſtripped of every remaining mark of royalty. The canopy of ſtate in her apartment was pulled down; Paulet entered her chamber, and approached her perſon without any ceremony; and even appeared covered in her preſence. Shocked with theſe indignities, and offended at this groſs fami-

[b] Spotſw. 251. Cald. iv. 5. [c] Camd. 528. Jebb, 291.

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liarity, to which she had never been accustomed, Mary once more complained to Elizabeth; and at the same time, as her last request, entreated that she would permit her servants to carry her dead body into France, to be laid among her ancestors in hallowed ground; that some of her domestics might be present at her death, to bear witness of her innocence, and firm adherence to the catholic faith; that all her servants might be suffered to leave the kingdom, and to enjoy those small legacies which she should bestow on them, as testimonies of her affection; and that, in the mean time, her almoner, or some other catholic priest, might be allowed to attend her, and to assist her in preparing for an eternal world. She besought her, in the name of Jesus, by the soul and memory of Henry VII. their common progenitor, by their near consanguinity, and the royal dignity with which they were both invested, to gratify her in these particulars, and to indulge her so far as to signify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth is uncertain. No answer was returned, and no regard paid to her requests. She was offered a protestant bishop or dean to attend her. Them she rejected, and without any clergyman to direct her devotions, she prepared, in great tranquillity, for the approach of death, which she now believed to be at no great distance[d].

1587. James renews his

JAMES, without losing a moment, sent new ambassadors to London. These were the master

[d] Camd. 528. Jebb, ii. 295.

of

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of Gray, and ſir Robert Melvil. In order to remove Elizabeth's fears, they offered that their maſter would become bound that no conſpiracy ſhould be undertaken againſt her perſon, or the peace of the kingdom, with Mary's conſent; and for the faithful performance of this, would deliver ſome of the moſt conſiderable of the Scottiſh nobles as hoſtages. If this were not thought ſufficient, they propoſed that Mary ſhould reſign all her rights and pretenſions to her ſon, from whom nothing injurious to the proteſtant religion, or inconſiſtent with Elizabeth's ſafety, could be feared. The former propoſal Elizabeth rejected as inſecure; the latter, as dangerous. The ambaſſadors were then inſtructed to talk in a higher tone; and Melvil executed the commiſſion with fidelity and with zeal. But Gray, with his uſual perfidy, deceived his maſter, who truſted him with a negotiation of ſo much importance, and betrayed the queen whom he was employed to ſave. He encouraged and urged Elizabeth to execute the ſentence againſt her rival. He often repeated the old proverbial ſentence, "The dead cannot bite." And, whatever ſhould happen, he undertook to pacify the king's rage, or at leaſt to prevent any violent effects of his reſentment[e].

1587. Solicitations in her behalf. January 1.

ELIZABETH, meanwhile, diſcovered all the ſymptoms of the moſt violent agitation and diſquietude of mind. She ſhunned ſociety, ſhe was often found in a melancholy and muſing poſture, and repeating with much emphaſis theſe ſentences,

Elizabeth's anxiety and diſſimulation.

[e] Spotſw. 352. Murdin, 568. See App. No. L.

which

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which she borrowed from some of the devices then in vogue; *Aut fer aut feri*; *ne feriare, feri.* Much, no doubt, of this apparent uneasiness must be imputed to dissimulation; it was impossible, however, that a princess, naturally so cautious as Elizabeth, should venture on an action, which might expose her memory to infamy, and her life and kingdom to danger, without reflecting deeply, and hesitating long. The people waited her determination in suspense and anxiety; and lest their fear or their zeal should subside, rumours of danger were artfully invented, and propagated with the utmost industry. Aubespine, the French ambassador, was accused of having suborned an assassin to murder the queen. The Spanish fleet was said by some to be already arrived at Milfordhaven. Others affirmed that the duke of Guise had landed with a strong army in Sussex. Now, it was reported that the northern counties were up in arms; next day, that the Scots had entered England with all their forces; and a conspiracy, it was whispered, was on foot for seizing the queen and burning the city. The panic grew every day more violent; and the people, astonished and enraged, called for the execution of the sentence against Mary, as the only thing which could restore tranquillity to the kingdom [f].

Warrant for Mary's execution signed. February 1.

While these sentiments prevailed among her subjects, Elizabeth thought she might safely venture to strike the blow, which she had so long meditated. She commanded Davison, one of the

[f] Camd. 533, 534.

secretaries

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ſecretaries of ſtate, to bring to her the fatal warrant; and her behaviour on that occaſion plainly ſhewed, that it is not to humanity that we muſt aſcribe her forbearance hitherto. At the very moment ſhe was ſigning the writ which gave up a woman, a queen, and her own neareſt relation, into the hands of the executioner, ſhe was capable of jeſting. "Go," ſays ſhe to Daviſon, "and tell "Walſingham what I have now done, though I am "afraid he will die for grief when he hears it." Her chief anxiety was how to ſecure the advantages which would ariſe from Mary's death, without appearing to have given her conſent to a deed ſo odious. She often hinted to Paulet and Drury, as well as to ſome other courtiers, that now was the time to diſcover the ſincerity of their concern for her ſafety, and that ſhe expected their zeal would extricate her out of her preſent perplexity. But they were wiſe enough to ſeem not to underſtand her meaning. Even after the warrant was ſigned, ſhe commanded a letter to be written to Paulet in leſs ambiguous terms, complaining of his remiſſneſs in ſparing ſo long the life of her capital enemy, and begging him to remember at laſt what was incumbent on him as an affectionate ſubject, as well as what he was bound to do by the oath of aſſociation, and to deliver his ſovereign from continual fear and danger, by ſhortening the days of his priſoner. Paulet, though rigorous and harſh, and often brutal in the diſcharge of what he thought his duty, as Mary's keeper, was nevertheleſs a man of honour and integrity. He rejected the propoſal

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propoſal with diſdain; and lamenting that he ſhould ever have been deemed capable of acting the part of an aſſaſſin, he declared that the queen might diſpoſe of his life at her pleaſure, but that he would never ſtain his own honour, nor leave an everlaſting mark of infamy on his poſterity, by lending his hand to perpetrate ſo foul a crime. On the receipt of this anſwer, Elizabeth became extremely peeviſh; and calling him a *dainty* and *preciſe fellow*, who would promiſe much, but perform nothing, ſhe propoſed to employ one Wingfield, who had both courage and inclination to ſtrike the blow [g]. But Daviſon remonſtrating againſt this, as a deed diſhonourable in itſelf, and of dangerous example, ſhe again declared her intention that the ſentence pronounced by the commiſſioners ſhould be executed according to law; and as ſhe had already ſigned the warrant, ſhe begged that no farther application might be made to her on that head. By this, the privy counſellors thought themſelves ſufficiently authoriſed to proceed; and prompted, as they pretended, by zeal for the queen's ſafety, or inſtigated, as is more probable, by the apprehenſion of the danger to which they would themſelves be expoſed, if the life of the queen of Scots were ſpared, they aſſembled in the council-chamber; and by a letter under all their hands, empowered the earls of Shrewſbury and Kent, together with the high ſheriff of the county, to ſee the ſentence put in execution [h].

[g] Biogr. Britan. article *Daviſon*.

[h] Camd. 534. Strype, iii. 361. 364.

On

1587. Mary's behaviour at her death.

On Tuesday the seventh of February, the two earls arrived at Fotheringay, and demanded access to the queen, read in her presence the warrant for execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and crossing herself in the name of the Father, and of the Son, and of the Holy Ghost, "That soul," said she, "is not worthy the "joys of Heaven, which repines because the body "must endure the stroke of the executioner; and "though I did not expect that the queen of Eng- "land would set the first example of violating the "sacred person of a sovereign prince, I willingly "submit to that which Providence has decreed to "be my lot;" and laying her hand on a Bible, which happened to be near her, she solemnly protested that she was innocent of that conspiracy which Babington had carried on against Elizabeth's life[i]. She then mentioned the requests contained in her letter to Elizabeth, but obtained no satisfactory answer. She entreated with particular earnestness, that now in her last moments her almoner might be suffered to attend her, and that she might enjoy the consolation of those pious institutions prescribed by her religion. Even this favour, which is usually granted to the vilest criminal, was absolutely denied.

Her attendants, during this conversation, were bathed in tears, and though overawed by the presence of the two earls, with difficulty suppressed their anguish; but no sooner did Kent and Shrews-

[i] Jebb, ii. 301.

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bury withdraw, than they ran to their miſtreſs, and burſt out into the moſt paſſionate expreſſions of tenderneſs and ſorrow. Mary, however, not only retained perfect compoſure of mind herſelf, but endeavoured to moderate their exceſſive grief; and falling on her knees, with all her domeſtics round her, ſhe thanked Heaven that her ſufferings were now ſo near an end, and prayed that ſhe might be enabled to endure what ſtill remained with decency and with fortitude. The greater part of the evening ſhe employed in ſettling her worldly affairs. She wrote her teſtament with her own hand. Her money, her jewels, and her clothes, ſhe diſtributed among her ſervants, according to their rank or merit. She wrote a ſhort letter to the king of France, and another to the duke of Guiſe, full of tender but magnanimous ſentiments, and recommended her ſoul to their prayers, and her afflicted ſervants to their protection. At ſupper ſhe ate temperately, as uſual, and converſed not only with eaſe, but with cheerfulneſs; ſhe drank to every one of her ſervants, and aſked their forgiveneſs, if ever ſhe had failed in any part of her duty towards them. At her wonted time ſhe went to bed, and ſlept calmly a few hours. Early in the morning ſhe retired into her cloſet, and employed a conſiderable time in devotion. At eight o'clock the high ſheriff and his officers entered her chamber, and found her ſtill kneeling at the altar. She immediately ſtarted up, and with a majeſtic mien, and a countenance undiſmayed, and even cheerful, advanced towards the place of execution,

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cution, leaning on two of Paulet's attendants. She was dreſſed in a mourning habit, but with an elegance and ſplendour which ſhe had long laid aſide except on a few feſtival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand ſhe carried a crucifix of ivory. At the bottom of the ſtairs, the two earls, attended by ſeveral gentlemen from the neighbouring counties, received her; and there ſir Andrew Melvil, the maſter of her houſehold, who had been ſecluded for ſome weeks from her preſence, was permitted to take his laſt farewel. At the ſight of a miſtreſs whom he tenderly loved, in ſuch a ſituation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate, in being appointed to carry the account of ſuch a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is "at preſent great cauſe for rejoicing. Thou ſhalt "this day ſee Mary Stewart delivered from all her "cares, and ſuch an end put to her tedious ſuffer-"ings, as ſhe has long expected. Bear witneſs "that I die conſtant in my religion; firm in my "fidelity towards Scotland; and unchanged in my "affection to France. Commend me to my ſon. "Tell him I have done nothing injurious to his "kingdom, to his honour, or to his rights; and "God forgive all thoſe who have thirſted, without "cauſe, for my blood."

WITH much difficulty, and after many entreaties, ſhe prevailed on the two earls to allow Melvil, together with three of her men ſervants and two of her

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her maids, to attend her to the ſcaffold. It was erected in the ſame hall where ſhe had been tried, raiſed a little above the floor, and covered, as well as a chair, the cuſhion, and block, with black cloth. Mary mounted the ſteps with alacrity, beheld all this apparatus of death with an unaltered countenance, and ſigning herſelf with the croſs, ſhe ſat down in the chair. Beale read the warrant for execution with a loud voice, to which ſhe liſtened with a careleſs air, and like one occupied in other thoughts. Then the dean of Peterborough began a devout diſcourſe, ſuitable to her preſent condition, and offered up prayers to Heaven in her behalf; but ſhe declared that ſhe could not in conſcience hearken to the one, nor join with the other; and keeling down repeated a Latin prayer. When the dean had finiſhed his devotions, ſhe with an audible voice, and in the Engliſh tongue, recommended unto God the afflicted ſtate of the church, and prayed for proſperity to her ſon, and for a long life and peaceable reign to Elizabeth. She declared that ſhe hoped for mercy only through the death of Chriſt, at the foot of whoſe image ſhe now willingly ſhed her blood; and lifting up and kiſſing the crucifix, ſhe thus addreſſed it: "As "thy arms, O Jeſus, were extended on the croſs; "ſo with the outſtretched arms of thy mercy re- "ceive me, and forgive my ſins."

SHE then prepared for the block, by taking off her veil and upper garments; and one of the executioners rudely endeavouring to aſſiſt, ſhe gently checked him, and ſaid, with a ſmile, that ſhe had not

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not been accuſtomed to undreſs before ſo many ſpectators, nor to be ſerved by ſuch valets. With calm but undaunted fortitude, ſhe laid her neck on the block; and while one executioner held her hands, the other, at the ſecond ſtroke, cut off her head, which falling out of its attire, diſcovered her hair already grown quite grey with cares and ſorrows. The executioner held it up ſtill ſtreaming with blood, and the dean crying out, "So periſh "all queen Elizabeth's enemies," the earl of Kent alone anſwered Amen. The reſt of the ſpectators continued ſilent, and drowned in tears; being incapable, at that moment, of any other ſentiments but thoſe of pity or admiration [k].

Sentiments of hiſtorians concerning her.

SUCH was the tragical death of Mary queen of Scots, after a life of forty-four years and two months, almoſt nineteen years of which ſhe paſſed in captivity. The political parties which were formed in the kingdom during her reign, have ſubſiſted, under various denominations, ever ſince that time. The rancour with which they were at firſt animated, hath deſcended to ſucceeding ages, and their prejudices, as well as their rage, have been perpetuated, and even augmented. Among hiſtorians, who were under the dominion of all theſe paſſions, and who have either aſcribed to her every virtuous and amiable quality, or have imputed to her all the vices of which the human heart is ſuſceptible, we ſearch in vain for Mary's real character. She neither merited the exagge-

[k] Camd. 534. Spotſw. 355. Jebb, ii. 300. Strype, iii. 383. See Append. No. LI.

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rated praiſes of the one, nor the undiſtinguiſhed cenſure of the other.

1587. Her character.

To all the charms of beauty, and the utmoſt elegance of external form, ſhe added thoſe accompliſhments which render their impreſſion irreſiſtible. Polite, affable, inſinuating, ſprightly, and capable of ſpeaking and of writing with equal eaſe and dignity. Sudden, however, and violent in all her attachments; becauſe her heart was warm and unſuſpicious. Impatient of contradiction; becauſe ſhe had been accuſtomed from her infancy to be treated as a queen. No ſtranger, on ſome occaſions, to diſſimulation; which, in that perfidious court where ſhe received her education, was reckoned among the neceſſary arts of government. Not inſenſible of flattery, or unconſcious of that pleaſure with which almoſt every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; ſhe was an agreeable woman, rather than an illuſtrious queen. The vivacity of her ſpirit, not ſufficiently tempered with ſound judgment, and the warmth of her heart, which was not at all times under the reſtraint of diſcretion, betrayed her both into errors and into crimes. To ſay that ſhe was always unfortunate, will not account for that long and almoſt uninterrupted ſucceſſion of calamities which befel her; we muſt likewiſe add, that ſhe was often imprudent. Her paſſion for Darnly was raſh, youthful, and exceſſive; and though the ſudden tranſition to the oppoſite extreme, was the natural effect of her ill-

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requited love, and of his ingratitude, inſolence, and brutality; yet neither theſe, nor Bothwell's artful addreſs and important ſervices, can juſtify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy paſſion; nor can they induce us to look on that tragical and infamous ſcene which followed upon it, with leſs abhorrence. Humanity will draw a veil over this part of her character which it cannot approve, and may, perhaps, prompt ſome to impute ſome of her actions to her ſituation, more than to her diſpoſitions; and to lament the unhappineſs of the former, rather than accuſe the perverſeneſs of the latter. Mary's ſufferings exceed, both in degree and in duration, thoſe tragical diſtreſſes which fancy has feigned to excite ſorrow and commiſeration; and while we ſurvey them, we are apt altogether to forget her frailties, we think of her faults with leſs indignation, and approve of our tears, as if they were ſhed for a perſon who had attained much nearer to pure virtue.

WITH regard to the queen's perſon, a circumſtance not to be omitted in writing the hiſtory of a female reign, all contemporary authors agree in aſcribing to Mary the utmoſt beauty of countenance, and elegance of ſhape, of which the human form is capable. Her hair was black, though, according to the faſhion of that age, ſhe frequently wore borrowed locks, and of different colours. Her eyes were a dark grey; her complexion was exquiſitely fine; and her hands and arms remark-

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ably delicate, both as to ſhape and colour. Her ſtature was of an height that roſe to the majeſtic. She danced, ſhe walked, and rode with equal grace. Her taſte for muſic was juſt, and ſhe both ſung and played upon the lute with uncommon ſkill. Towards the end of her life, long confinement, and the coldneſs of the houſes in which ſhe had been impriſoned, brought on a rheumatiſm, which often deprived her of the uſe of her limbs. No man, ſays Brantome, ever beheld her perſon without admiration and love, or will read her hiſtory without ſorrow.

NONE of her women were ſuffered to come near her dead body, which was carried into a room adjoining to the place of execution, where it lay for ſome days, covered with a coarſe cloth torn from a billiard table. The block, the ſcaffold, the aprons of the executioners, and every thing ſtained with her blood, were reduced to aſhes. Not long after, Elizabeth appointed her body to be buried in the cathedral of Peterborough with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of thoſe injuries which laid Mary in her grave. James, ſoon after his acceſſion to the Engliſh throne, ordered her body to be removed to Weſtminſter-abbey, and to be depoſited among the monarchs of England.

Elizabeth affects to lament Mary's death.

ELIZABETH affected to receive the accounts of Mary's death with the moſt violent emotions of ſurpriſe and concern. Sighs, tears, lamentations and mourning, were all employed to diſplay the reality

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reality and greatneſs of her ſorrow. Evident marks of diſſimulation and artifice may be traced through every period of Elizabeth's proceedings againſt the life of the Scottiſh queen. The commiſſion for bringing Mary to a public trial was ſeemingly extorted from her by the intreaties of her privy counſellors. She delayed publiſhing the ſentence againſt her till ſhe was twice ſolicited by both houſes of parliament. Nor did ſhe ſign the warrant for execution without the utmoſt apparent reluctance. One ſcene more of the boldeſt and moſt ſolemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge, and againſt her will. Daviſon, who neither ſuſpected her intention nor his own danger, was her inſtrument in carrying on this artifice, and fell a victim to it.

It was his duty, as ſecretary of ſtate, to lay before her the warrant for execution, in order to be ſigned; and, by her command, he carried it to the great ſeal. She pretended, however, that ſhe had charged him not to communicate what ſhe had done to any perſon, nor to ſuffer the warrant to go out of his hands, without her expreſs permiſſion; that, in contempt of this order, he had not only revealed the matter to ſeveral of her miniſters, but had, in concert with them, aſſembled her privy counſellors, by whom, without her conſent or knowledge, the warrant was iſſued, and the earls of Shrewſbury and Kent impowered to put it in execution. Though Daviſon denied all this, and with circumſtances

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March. He was ſoon after brought to a ſolemn trial in the Star Chamber, condemned to pay a fine of ten thouſand pounds, and to be impriſoned during the queen's pleaſure. He languiſhed ſeveral years in confinement, and never recovered any degree of favour or of power. As her jealouſy and fear had bereaved the queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no ſcruple of ſacrificing the reputation and happineſs of one of the moſt virtuous and able men in her kingdom[1].

Elizabeth endeavours to ſooth James.

THIS ſolemn farce, for it deſerves no better name, furniſhed Elizabeth, however, with an apo-

[1] Camd. 536. Strype, iii. 370. See Append. No. LII. Cabala, 229, &c.

logy

logy to the king of Scots. As the proſpect of his mother's danger had excited the king's filial care and concern, the account of her death filled him with grief and reſentment. His ſubjects felt the diſhonour done to him and to the nation. In order to ſooth both, Elizabeth inſtantly diſpatched Robert Cary, one of lord Hunſdon's ſons, with a letter expreſſing her extreme affliction on account of that miſerable accident, which, as ſhe pretended, had happened far contrary to her appointment or intention. James would not permit her meſſenger to enter Scotland, and with ſome difficulty received a memorial which he ſent from Berwick. It contained the tale concerning Daviſon, dreſſed up with all the circumſtances which tended to exculpate Elizabeth, and to throw the whole blame on his raſhneſs or treachery. Such a defence gave little ſatisfaction, and was conſidered as mockery added to inſult; and many of the nobles, as well as the king, breathed nothing but revenge. Elizabeth was extremely ſolicitous to pacify them, and ſhe wanted neither able inſtruments, nor plauſible reaſons, in order to accompliſh this. Leiceſter wrote to the king, and Walſingham to ſecretary Maitland. They repreſented the certain deſtruction to which James would expoſe himſelf, if, with the forces of Scotland alone, he ſhould venture to attack a kingdom ſo far ſuperior in power; that the hiſtory of paſt ages, as well as his mother's ſad experience, might convince him, that nothing could be more dangerous, or deceitful,

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than dependance on foreign aid; that the king of France would never wiſh to ſee the Britiſh kingdoms united under one monarch, nor contribute to inveſt a prince ſo nearly allied to the houſe of Guiſe with ſuch formidable power; that Philip might be a more active ally, but would certainly prove a more dangerous one; and, under pretence of aſſiſting him, would aſſert his own right to the Engliſh crown, which he already began openly to claim; that the ſame ſtatute, on which the ſentence of death againſt his mother had been founded, would juſtify the excluding him from the ſucceſſion to the crown; that the Engliſh, naturally averſe from the dominion of ſtrangers, would not fail, if exaſperated by his hoſtilities, to apply it in that manner; that Elizabeth was diſpoſed to repair the wrongs which the mother had ſuffered, by her tenderneſs and affection towards the ſon; and that, by engaging in a fruitleſs war, he would deprive himſelf of a noble inheritance, which, by cultivating her friendſhip, he muſt infallibly obtain. Theſe repreſentations, added to the conſciouſneſs of his own weakneſs, to the ſmallneſs of his revenues, to the mutinous ſpirit of ſome of the nobles, to the dubious fidelity of others, and to the influence of that faction which was entirely at Elizabeth's devotion, convinced James that a war with England, however juſt, would in the preſent juncture be altogether impolitical. All theſe conſiderations induced him to ſtifle his reſentment; to appear ſatisfied with the puniſhment inflicted on

8 Daviſon;

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Daviſon; and to preſerve all the ſemblances of friendſhip with the Engliſh court[m]. In this manner did the cloud which threatened ſuch a ſtorm paſs away. Mary's death, like that of a common criminal, remained unavenged by any prince; and, whatever infamy Elizabeth might incur, ſhe was expoſed to no new danger on that account. BOOK VII. 1587.

Mary's death, however, proved fatal to the maſter of Gray, and loſt him the king's favour, which he had for ſome time poſſeſſed. He was become as odious to the nation as favourites, who acquire power without merit, and exerciſe it without diſcretion, uſually are. The treacherous part which he had acted during his late embaſſy was no ſecret, and filled James, who at length came to the knowledge of it, with aſtoniſhment. The courtiers obſerved the ſymptoms of diſguſt ariſing in the king's mind, his enemies ſeized the opportunity, and ſir William Stewart, in revenge of the perfidy with which Gray had betrayed his brother captain James, publicly accuſed him before a convention of nobles, not only of having contributed, by his advice and ſuggeſtions, to take away the life of the queen, but of holding correſpondence with popiſh princes, in order to ſubvert the religion eſtabliſhed in the kingdom. Gray, unſupported by the king, deſerted by all, and conſcious of his own guilt, made a feeble defence. He was condemned to perpetual baniſhment, a puniſhment very unequal to his crimes. But the king was unwilling to abandon one whom he had once favoured Diſgrace of the maſter of Gray. May 10.

[m] Spotſw. 362. Cald. iv. 13, 14. Strype, iii. 377.

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ſo highly, to the rigour of juſtice, and lord Hamilton, his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had ſerved them, interceded warmly in his behalf.

HAVING thus accompliſhed the deſtruction of one of his enemies, captain James Stewart thought the juncture favourable for proſecuting his revenge on them all. He ſingled out ſecretary Maitland, the moſt eminent both for abilities and enmity to him; and offered to prove that he was no leſs acceſſary than Gray to the queen's death, and had even formed a deſign of delivering up the king himſelf into the hands of the Engliſh. But time and abſence had, in a great meaſure, extinguiſhed the king's affection for a minion who ſo little deſerved it. All the courtiers combined againſt him as a common enemy; and, inſtead of gaining his point, he had the mortification to ſee the office of chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of a prime miniſter.

IN the aſſembly of the church, which met this year, the ſame hatred to the order of biſhops, and the ſame jealouſy and fear of their encroachments, appeared. But as the king was now of full age, and a parliament was ſummoned on that occaſion, the clergy remained ſatisfied with appointing ſome of their number to repreſent their grievances to that court, from which great things were expected.

The king attempts to unite the nobles.

PREVIOUS to this meeting of parliament, James attempted a work worthy of a king. The deadly feuds

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feuds which ſubſiſted between many of the great families, and which were tranſmitted from one generation to another, weakened the ſtrength of the kingdom; contributed, more than any other circumſtance, to preſerve a fierce and barbarous ſpirit among the nobles; and proved the occaſion of many diſaſters to themſelves and to their country. After many preparatory negotiations, he invited the contending parties to a royal entertainment in the palace of Holy-rood-houſe; and partly by his authority, partly by his intreaties, obtained their promiſe to bury their diſſenſions in perpetual oblivion. From thence he conducted them, in ſolemn proceſſion, through the ſtreets of Edinburgh, marching by pairs, each hand in hand with his enemy. A collation of wine and ſweetmeats was prepared at the public croſs, and there they drank to each other, with all the ſigns of reciprocal forgiveneſs and of future friendſhip. The people, who were preſent at a ſpectacle ſo unuſual, conceived the moſt ſanguine hopes of ſeeing concord and tranquillity eſtabliſhed in every part of the kingdom, and teſtified their ſatisfaction by repeated acclamations[n]. Unhappily, the effects of this reconciliation were not correſpondent either to the pious endeavours of the king, or to the fond wiſhes of the people.

THE firſt care of the parliament was the ſecurity of the proteſtant religion. All the laws paſſed in its favour, ſince the Reformation, were ratified; and a new and ſevere one was enacted againſt ſe-

[n] Spotſw. 164. Cald. iv. 13.

minary

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minary prieſts and jeſuits, whoſe reſtleſs induſtry in making proſelytes, brought many of them into Scotland about this time. Two acts of this parliament deſerve more particular notice on account of the conſequences with which they were followed.

General annexation of church lands.

THE one reſpected the lands of the church. As the public revenues were not ſufficient for defraying the king's ordinary charges; as the adminiſtration of the government became more complicated and more expenſive; as James was naturally profuſe, and a ſtranger to œconomy; it was neceſſary, on all theſe accounts, to provide ſome fund proportioned to his exigencies. But no conſiderable ſum could be levied on the commons, who did not enjoy the benefit of an extenſive commerce. The nobles were unaccuſtomed to bear the burden of heavy taxes. The revenues of the church were the only ſource whence a proper ſupply could be drawn. Notwithſtanding all the depredations of the laity ſince the Reformation, and the various devices which they had employed to ſeize the church lands, ſome conſiderable portion of them remained ſtill unalienated, and were held either by the biſhops who poſſeſſed the benefices, or were granted to laymen during pleaſure. All theſe lands were, in this parliament, annexed, by one general law*, to the crown, and the king was empowered to apply the rents of them to his own uſe. The tithes alone were reſerved for the maintenance of the perſons who ſerved the cure, and the principal manſion-houſe, with a few acres of land, by way of

* Parl. 11 Jac. VI. c. 29.

glebe,

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glebe, allotted for their reſidence. By this great acceſſion of property, it is natural to conclude that the king muſt have acquired a vaſt increaſe of power, and the influence of the nobles have ſuffered a proportional diminution. The very reverſe of this ſeems, however, to have been the caſe. Almoſt all grants of church-lands, prior to this act, were thereby confirmed; and titles, which were formerly reckoned precarious, derived thence the ſanction of parliamentary authority. James was likewiſe authoriſed, during a limited time, to make new alienations; and ſuch was the facility of his temper, ever ready to yield to the ſolicitations of his ſervants, and to gratify their moſt extravagant demands, that not only during the time limited, but throughout his whole reign, he was continually employed in beſtowing, and his parliament in ratifying, grants of this kind to his nobles; hence little advantage accrued to the crown from that which might have been ſo valuable an addition to its revenues. The biſhops, however, were great ſufferers by the law. But at this juncture neither the king nor his miniſters were ſolicitous about the intereſts of an order of men, odious to the people, and perſecuted by the clergy. Their enemies promoted the law with the utmoſt zeal. The proſpect of ſharing in their ſpoils induced all parties to conſent to it; and after a ſtep ſo fatal to the wealth and power of the dignified clergy, it was no difficult matter to introduce that change in the government of the church which ſoon after took place[p].

[p] Spotſw. 365.

THE

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1587. Leſſer barons admitted into parliament by their repreſentatives.

THE change which the other ſtatute produced in the civil conſtitution was no leſs remarkable. Under the feudal ſyſtem, every freeholder, or immediate vaſſal of the crown, had a right to be preſent in parliament. Theſe freeholders were originally few in number, but poſſeſſed of great and extenſive property. By degrees theſe vaſt poſſeſſions were divided by the proprietors themſelves, or parcelled out by the prince, or ſplit by other accidents. The number of freeholders became greater, and their condition more unequal; beſides the ancient barons, who preſerved their eſtates and their power unimpaired, there aroſe another order, whoſe rights were the ſame, though their wealth and influence were far inferior. But, in rude ages, when the art of government was extremely imperfect, when parliaments were ſeldom aſſembled, and deliberated on matters little intereſting to a martial people, few of the *leſſer barons* took their ſeats, and the whole parliamentary juriſdiction was exerciſed by the *greater barons*, in conjunction with the eccleſiaſtical order. James I. fond of imitating the forms of the Engliſh conſtitution, to which he had been long accuſtomed, and deſirous of providing a counterpoiſe to the power of the great nobles, procured an act in the year one thouſand four hundred and twenty-ſeven, diſpenſing with the perſonal attendance of the leſſer barons, and empowering thoſe in each county to chuſe two commiſſioners to repreſent them in parliament. This law, like many other regulations of that wiſe prince, produced little effect. All the king's vaſſals continued,

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tinued, as formerly, poſſeſſed of a right to be preſent in parliament; but, unleſs in ſome extraordinary conjunctures, the greater barons alone attended. But, by means of the Reformation, the conſtitution had undergone a great change. The ariſtocratical power of the nobles had been much increaſed, and the influence of the eccleſiaſtical order, which the crown uſually employed to check their uſurpation, and to balance their authority, had diminiſhed in proportion. Many of the abbies and priories had been erected into temporal peerages; and the proteſtant biſhops, an indigent race of men, and odious to the nation, were far from poſſeſſing the weight and credit which their predeceſſors derived from their own exorbitant wealth and the ſuperſtitious reverence of the people. In this ſituation, the king had recourſe to the expedient employed by James I. and obtained a law reviving the ſtatute of one thouſand four hundred and twenty-ſeven; and from that time the commons of Scotland have ſent their repreſentatives to parliament. An act, which tended ſo viſibly to abridge their authority, did not paſs without oppoſition from many of the nobles. But as the king had a right to ſummon the leſſer barons to attend in perſon, others were apprehenſive of ſeeing the houſe filled with a multitude of his dependents, and conſented the more willingly to a law which laid them under the reſtriction of appearing only by their repreſentatives.

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THE year one thouſand five hundred and eighty-eight began with an univerſal expectation throughout

1588. The approach of the Spaniſh Armada.

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out all Europe, that it was to be diſtinguiſhed by wonderful events and revolutions. Several aſtrologers, according to the accounts of contemporary hiſtorians, had predicted this; and the ſituation of affairs in the two principal kingdoms of Europe was ſuch, that a ſagacious obſerver, without any ſupernatural intelligence, might have hazarded the prediction, and have foreſeen the approach of ſome grand criſis. In France, it was evident from the aſtoniſhing progreſs of the league, conducted by a leader whoſe ambition was reſtrained by no ſcruples, and whoſe genius had hitherto ſurmounted all difficulties; as well as from the timid, variable, and impolitic councils of Henry III. that either that monarch muſt ſubmit to abandon the throne, of which he was unworthy, or by ſome ſudden and daring blow cut off his formidable rival. Accordingly, in the beginning of the year, the duke of Guiſe drove his maſter out of his capital city, and forced him to conclude a peace, which left him only the ſhadow of royalty; and before the year expired, he himſelf fell a victim to the reſentment and fear of Henry, and to his own ſecurity. In Spain the operations were ſuch as promiſed ſomething ſtill more uncommon. During three years Philip had employed all the power of his European dominions, and exhauſted the treaſures of the Indies, in vaſt preparations for war. A fleet, the greateſt that had ever appeared in the ocean, was ready to ſail from Liſbon, and a numerous land army was aſſembled to embark on board of it. Its deſtination was ſtill unknown, though

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though many circumſtances made it probable that the blow was aimed, in the firſt place, againſt England. Elizabeth had long given ſecret aid to the revolted provinces in the Low-Countries, and now openly afforded them her protection. A numerous body of her troops was in their ſervice; the earl of Leiceſter commanded their armies; ſhe had great ſway in the civil government of the republic; and ſome of its moſt conſiderable towns were in her poſſeſſion. Her fleets had inſulted the coaſts of Spain, intercepted the galleons from the Weſt Indies, and threatened the colonies there. Rouſed by ſo many injuries, allured by views of ambition, and animated by a ſuperſtitious zeal for propagating the Romiſh religion, Philip reſolved not only to invade, but to conquer England, to which his deſcent from the houſe of Lancaſter, and the donation of pope Sixtus V. gave him in his own opinion a double title.

Conduct of James on that occaſion.

ELIZABETH ſaw the danger approach, and prepared to encounter it. The meaſures for the defence of her kingdom were concerted and carried on with the wiſdom and vigour which diſtinguiſhed her reign. Her chief care was to ſecure the friendſhip of the king of Scots. She had treated the queen his mother with a rigour unknown among princes; ſhe had often uſed himſelf harſhly, and with contempt; and though he had hitherto prudently ſuppreſſed his reſentment of theſe injuries, ſhe did not believe it to be altogether extinguiſhed, and was afraid that, in her preſent ſituation, it might burſt out with a fatal violence. Philip, ſenſible

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how much an alliance with Scotland would facilitate his enterprise, courted James with the utmost assiduity. He excited him to revenge his mother's wrong; he flattered him with the hopes of sharing his conquests; and offered him in marriage his daughter the infanta Isabella. At the same time, Scotland swarmed with priests, his emissaries, who seduced some of the nobles to popery, and corrupted others with bribes and promises. Huntly, Errol, Crawford, were the heads of a faction which openly espoused the interest of Spain. Lord Maxwell, arriving from that court, began to assemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all these, Elizabeth made the warmest professions of friendship to the king; and Ashby, her ambassador, entertained him with magnificent hopes and promises. He assured him, that his right of succession to the crown should be publicly acknowleged in England; that he should be created a duke in that kingdom; that he should be admitted to some share in the government; and receive a considerable pension annually. James, it is probable, was too well acquainted with Elizabeth's arts, to rely entirely on these promises. But he understood his own interest in the present juncture, and pursued it with much steadiness. He rejected an alliance with Spain, as dangerous. He refused to admit into his presence an ambassador from the pope. He seized colonel Semple, an agent of the prince of Parma. He drove many of the seminary priests out of the kingdom. He marched

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marched ſuddenly to Dumfries, diſperſed Maxwell's followers, and took him priſoner. In a convention of the nobles, he declared his reſolution to adhere inviolably to the league with England; and without liſtening to the ſuggeſtions of revenge, determined to act in concert with Elizabeth, againſt the common enemy of the proteſtant faith. He put the kingdom in a poſture of defence, and levied troops to obſtruct the landing of the Spaniards. He offered to ſend an army to Elizabeth's aſſiſtance, and told her ambaſſador that he expected no other favour from the king of Spain, but that which Polyphemus had promiſed to Ulyſſes, that when he had devoured all his companions, he would make him his laſt morſel [q].

1588.

THE zeal of the people, on this occaſion, was not inferior to that of the king; and the extraordinary danger with which they were threatened, ſuggeſted to them an extraordinary expedient for their ſecurity. A bond was framed for the maintenance of true religion, as well as the defence of the king's perſon and government, in oppoſition to all enemies, foreign and domeſtic. This contained a confeſſion of the proteſtant faith, a particular renunciation of the errors of popery, and the moſt ſolemn promiſes, in the name, and through the ſtrength of God, of adhering to each other in ſupporting the former, and contending againſt the latter, to the utmoſt of their power [r]. The king, the nobles, the clergy, and the people, ſub-

A national covenant in defence of religion.

[q] Camb. 544. Johnſt. 139. Spotſw. 369.
[r] Dunlop's Collect. of Confeſſ. vol. ii. 108.

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BOOK VII. 1588.

ſcribed with equal alacrity. Strange or uncommon as ſuch a combination may now appear, many circumſtances contributed at that time to recommend it, and to render the idea familiar to the Scots. When rouſed by any extraordinary event, or alarmed by any public danger, the people of Iſrael were accuſtomed to bind themſelves, by a ſolemn covenant, to adhere to that religion which the Almighty had eſtabliſhed among them; this the Scots conſidered as a ſacred precedent, which it became them to imitate. In that age, no conſiderable enterpriſe was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned neceſſary for their ſecurity. The form of this religious confederacy is plainly borrowed from thoſe political ones, of which ſo many inſtances have occurred; the articles, ſtipulations, and peculiar modes of expreſſion, are exactly the ſame in both. Almoſt all the conſiderable popiſh princes were then joined in a league for extirpating the reformed religion, and nothing could be more natural, or ſeemed more efficacious, than to enter into a counter-aſſociation, in order to oppoſe the progreſs of that formidable conſpiracy. To theſe cauſes did the *covenant*, which is become ſo famous in hiſtory, owe its origin. It was renewed at different times during the reign of James[1]. It was revived with great ſolemnity, though with conſiderable alterations, in the year one thouſand ſix hundred and thirty-eight. It was adopted by the Engliſh in the year one thouſand ſix hundred and

[1] Cald. iv. 129.

forty-

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forty-three, and enforced by the civil and eccleſiaſtical authority of both kingdoms. The political purpoſes to which it was then made ſubſervient, and the violent and unconſtitutional meaſures which it was then employed to promote, it is not our province to explain. But at the juncture in which it was firſt introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived, other than might have been expected from men alarmed with the impending danger of popery, and threatened with an invaſion by the moſt bigoted and moſt powerful prince in Europe.

PHILIP's eagerneſs to conquer England did not inſpire him either with the vigour or diſpatch neceſſary to enſure the ſucceſs of ſo mighty an enterpriſe. His fleet, which ought to have ſailed in April, did not enter the Engliſh channel till the middle of July. It hovered many days on the coaſt, in expectation of being joined by the prince of Parma, who was blocked up in the ports of Flanders by a Dutch ſquadron. Continual diſaſters purſued the Spaniards during that time; ſucceſſive ſtorms and battles, which are well known, conſpired with their own ill-conduct to diſappoint their enterpriſe. And, by the bleſſing of Providence, which watched with remarkable care over the proteſtant religion and the liberties of Britain, the Engliſh valour ſcattered and deſtroyed the Armado, on which Philip had arrogantly beſtowed the name of invincible. After being driven out of

The Armada defeated.

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BOOK VII.

1588. the Engliſh ſeas, their ſhattered ſhips were forced to ſteer their courſe towards Spain, round Scotland and Ireland. Many of them ſuffered ſhipwreck on theſe dangerous and unknown coaſts. Though James kept his ſubjects under arms, to watch the motions of the Spaniards, and to prevent their landing in an hoſtile manner, he received with great humanity ſeven hundred who were forced aſhore by a tempeſt, and, after ſupplying them with neceſſaries, permitted them to return into their own country.

On the retreat of the Spaniards, Elizabeth ſent an ambaſſador to congratulate with James, and to compliment him on the firmneſs and generoſity he had diſcovered during a conjuncture ſo dangerous. But none of Aſhby's promiſes were any longer remembered; that miniſter was even accuſed of having exceeded his powers, by his too liberal offers; and conſcious of his own falſehood, or aſhamed of being diſowned by his court, he withdrew ſecretly out of Scotland[t].

1589. Philip's intrigues in Scotland.

Philip, convinced by fatal experience of his own raſhneſs in attempting the conqueſt of England, by a naval armament, equipped at ſo great a diſtance, and ſubjected, in all its operations, to the delays, and dangers, and uncertainties, ariſing from ſeas and winds, reſolved to make his attack in another form, and to adopt the plan which the princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be eaſily wafted over from the

[t] Johnſt. 134. Camd. 548. Murdin, 635. 788.

Low-

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Low-Countries to that kingdom, and if they could once obtain footing, or procure assistance there, the frontier of England was open and defenceless, and the northern counties full of Roman catholics, who would receive them with open arms. Meanwhile, a descent might be threatened on the southern coast, which would divide the English army, distract their councils, and throw the whole kingdom into terrible convulsions. In order to prepare the way for the execution of this design, he remitted a considerable sum of money to Bruce, a seminary priest in Scotland, and employed him, together with Hay, Creighton, and Tyrie, Scottish Jesuits, to gain over as many persons of distinction as possible to his interest. Zeal for popery, and the artful insinuations of these emissaries, induced several noblemen to favour a measure which tended so manifestly to the destruction of their country. Huntly, though the king had lately given him in marriage the daughter of his favourite the duke of Lennox, continued warmly attached to the Romish church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correspondence with the prince of Parma, and, in their letters to him, offered their service to the king of Spain, and undertook, with the aid of six thousand men, to render him master of Scotland, and to bring so many of their vassals into the field, that he should be able to enter England with a numerous army. Francis Stewart, grandson of James V.[n], whom the king had created earl of

Popish nobles conspire against the king.

[n] He was the son of John Prior of Coldingham, one of James's natural children.

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BOOK VII. 1589.

Bothwell, though influenced by no motive of religion, for he ſtill adhered to the proteſtant faith, was prompted merely by caprice, and the reſtleſſneſs of his nature, to join in this treaſonable correſpondence.

Feb. 17.

ALL theſe letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her own kingdom, ſent them immediately to the king, and, reproaching him with his former lenity towards the popiſh party, called upon him to check this formidable conſpiracy by a proper ſeverity.

The king's maxims with regard to popery.

But James, though firmly attached to the proteſtant religion, though profoundly verſed in the theological controverſies between the Reformers and the church of Rome, though he had employed himſelf, at that early period of life, in writing a commentary on the Revelations, in which he laboured to prove the pope to be antichriſt, had nevertheleſs adopted already thoſe maxims concerning the treatment of the Roman catholics, to which he adhered through the reſt of his life. The Roman catholics were at that time a powerful and active party in England; they were far from being an inconſiderable faction in his own kingdom. The pope and king of Spain were ready to take part in all their machinations, and to ſecond every effort of their bigotry. The oppoſition of ſuch a body to his ſucceſſion to the crown of England, added to the averſeneſs of the Engliſh from the government of ſtrangers, might create him many difficulties. In order to avoid theſe, he thought it neceſſary to ſooth rather than to irritate the Roman catholics, and to reconcile them to his ſucceſſion,

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ſion, by the hopes of gentler treatment, and ſome mitigation of the rigour of thoſe laws, which were now in force againſt them. This attempt to gain one party by promiſes of indulgence and acts of clemency, while he adhered with all the obſtinacy of a diſputant to the doctrines and tenets of the other, has given an air of myſtery, and even of contradiction, to this part of the king's character. The papiſts, with the credulity of a ſect ſtruggling to obtain power, believed his heart to be wholly theirs; and the proteſtants, with the jealouſy inſeparable from thoſe who are already in poſſeſſion of power, viewed every act of lenity as a mark of indifference, or a ſymptom of apoſtaſy. In order to pleaſe both, James often aimed at an exceſſive refinement, mingled with diſſimulation, in which he imagined the perfection of government and of kingcraft to conſiſt.

His excеſſive lenity to the conſpirators.

His behaviour on this occaſion was agreeable to theſe general maxims. Notwithſtanding the ſolicitations of the queen of England, enforced by the zealous remonſtrances of his own clergy, a ſhort impriſonment was the only puniſhment he inflicted upon Huntly and his aſſociates. But he ſoon had reaſon to repent an act of clemency ſo inconſiſtent with the dignity of government. The firſt uſe which the conſpirators made of their liberty was, to aſſemble their followers, and under pretence of removing chancellor Maitland, an able miniſter, but warmly devoted to the Engliſh intereſt, from the king's councils and preſence, they attempted to ſeize James himſelf. This attempt being

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being defeated, partly by Maitland's vigilance, and partly by their own ill-conduct, they were forced to retire to the North, where they openly erected the ſtandard of rebellion. But as the king's government was not generally unpopular, or his miniſters odious, their own vaſſals joined them ſlowly, and diſcovered no zeal in the cauſe. The king, in perſon, advancing againſt them with ſuch forces as he could ſuddenly levy, they durſt not rely ſo much on the fidelity of the troops, which, though ſuperior in number, followed them with reluctance, as to hazard a battle; but ſuffering them to diſperſe, they ſurrendered to the king, and threw themſelves on his mercy. Huntly, Errol, Crawford, and Bothwell, were all brought to a public trial. Repeated acts of treaſon were eaſily proved againſt them. The king, however, did not permit any ſentence to be pronounced; and after keeping them a few months in confinement, he took occaſion, amidſt the public feſtivity, and rejoicings at the approach of his marriage, to ſet them at liberty [x].

The king's marriage with Anne of Denmark.

As James was the only deſcendant of the ancient monarchs of Scotland in the direct line; as all hopes of uniting the crowns of the two kingdoms would have expired with him; as the earl of Arran, the preſumptive heir to the throne, was lunatic; the king's marriage was, on all theſe accounts, an event which the nation wiſhed for with the utmoſt ardour. He himſelf was no leſs deſirous of accompliſhing it; and had made overtures

[x] Spotſw. 373. Cald. iv. 103—130.

for

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for that purpoſe to the eldeſt daughter of Frederick II. king of Denmark. But Elizabeth, jealous of every thing that would render the acceſſion of the houſe of Stewart more acceptable to the Engliſh, endeavoured to perplex James, in the ſame manner ſhe had done Mary; and employed as many artifices to defeat or to retard his marriage. His miniſters, gained by bribes and promiſes, ſeconded her intention; and though ſeveral different ambaſſadors were ſent from Scotland to Denmark, they produced powers ſo limited, or inſiſted on conditions ſo extravagant, that Frederick could not believe the king to be in earneſt; and ſuſpecting that there was ſome deſign to deceive or amuſe him, gave his daughter in marriage to the duke of Brunſwick. Not diſcouraged by this diſappointment, which he imputed entirely to the conduct of his own miniſters, James made addreſſes to the princeſs Anne, Frederick's ſecond daughter. Though Elizabeth endeavoured to divert him from this by recommending Catherine, the king of Navarre's ſiſter, as a more advantageous match; though ſhe prevailed on the privy council of Scotland to declare againſt the alliance with Denmark, he perſiſted in his choice; and deſpairing of overcoming the obſtinacy of his own miniſters in any other manner, he ſecretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the chancellor, whom they accuſed as the perſon whoſe artifices had hitherto diſappointed the wiſhes of the king and the expectations of his people. In conſequence of this, the earl mariſchal

1589.

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BOOK VII.

1589. mariſchal was ſent into Denmark at the head of a ſplendid embaſſy. He received ample powers and inſtructions, drawn with the king's own hand. The marriage articles were quickly agreed upon, and the young queen ſet ſail towards Scotland. James made great preparations for her reception, and waited her landing with all the impatience of a lover; when the unwelcome account arrived, that a violent tempeſt had ariſen, which drove back her fleet to Norway, in a condition ſo ſhattered, that there was little hope of its putting again to ſea before the ſpring. This unexpected diſappointment he felt with the utmoſt ſenſibility. He inſtantly fitted out ſome ſhips, and, without communicating his intention to any of his council, ſailed in perſon, attended by the chancellor, ſeveral noblemen, and a train of three hundred perſons,

Oct. 22. in queſt of his bride. He arrived ſafely in a ſmall harbour near Upſlo, where the queen then reſided.

Nov. 24. There the marriage was ſolemnized; and as it would have been raſh to truſt thoſe boiſterous ſeas in the winter ſeaſon, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, paſſed ſeveral months there, amidſt continual feaſting and amuſements, in which both the queen and himſelf had great delight [y].

No event in the king's life appears to be a wider deviation from his general character, than this ſudden ſally. His ſon Charles I. was capable of that exceſſive admiration of the other ſex, which ariſes from great ſenſibility of heart, heightened

[y] Melvil, 352. Spotſw. 377. Murdin, 637.

by

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by elegance of taſte; and the romantic air of his journey to Spain ſuited ſuch a diſpoſition. But James was not ſuſceptible of any refined gallantry, and always expreſſed that contempt for the female character which a pedantic erudition, unacquainted with politeneſs, is apt to inſpire. He was exaſperated, however, and rendered impatient by the many obſtacles which had been laid in his way. He was anxious to ſecure the political advantages which he expected from marriage; and fearing that a delay might afford Elizabeth and his own miniſters an opportunity of thwarting him by new intrigues, he ſuddenly took the reſolution of preventing them, by a voyage from which he expected to return in a few weeks. The nation ſeemed to applaud his conduct, and to be pleaſed with this appearance of amorous ardour in a young prince. Notwithſtanding his abſence ſo long beyond the time he expected, the nobles, the clergy, and the people, vied with one another in loyalty and obedience; and no period of the king's reign was more remarkable for tranquillity, or more free from any eruption of thoſe factions which ſo often diſturbed the kingdom. 1589.

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THE

HISTORY

OF

SCOTLAND.

BOOK VIII.

BOOK VIII.

1590. The king and queen arrive in Scotland.

ON the firſt of May the king and queen arrived at Leith, and were received by their ſubjects with every poſſible expreſſion of joy. The ſolemnity of the queen's coronation was conducted with great magnificence; but ſo low had the order of biſhops fallen in the opinion of the public, that none of them were preſent on that occaſion; and Mr. Robert Bruce, a preſbyterian miniſter of great reputation, ſet the crown on her head, adminiſtered the ſacred unction, and performed the other cuſtomary ceremonies.

THE zeal and ſucceſs with which many of the clergy had contributed towards preſerving peace and order in the kingdom, during his abſence, reconciled James, in a great degree, to their perſons, and even to the preſbyterian form of government. In preſence of an aſſembly which

Auguſt 4.

met

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met this year, he made high encomiums on the discipline as well as the doctrine of the church, promised to adhere inviolably to both, and permitted the assembly to frame such acts as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the presbyterian model [a]. BOOK VIII. 1590.

An event happened soon after, which afforded the clergy no small triumph. Archbishop Adamson, their ancient opponent, having fallen under the king's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the clergy, and delivered to the assembly a formal recantation of all his opinions concerning church government, which had been matter of offence to the presbyterians. Such a confession, from the most learned person of the episcopal order, was considered as a testimony which the force of truth had extorted from an adversary [b]. 1591.

Meanwhile, the king's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the deadly quarrels between the great families, and of murders and assassinations perpetrated in the most audacious manner, and with circumstances of the utmost barbarity. All the defects Disorders in the kingdom.

[a] Cald. iv. 204. [b] Spotsw. 385. Cald. iv. 214.

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BOOK VIII.

1591.

in the feudal ariſtocracy were now felt more ſenſibly, perhaps, than at any other period in the hiſtory of Scotland, and univerſal licence and anarchy prevailed to a degree ſcarce conſiſtent with the preſervation of ſociety: while the king, too gentle to puniſh, or too feeble to act with vigour, ſuffered all theſe enormities to paſs with impunity.

An attempt of Bothwell's againſt the king.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engroſſed his attention, and thoſe ſuſpected of it felt the whole weight of his authority. Many perſons, neither extremely old nor wretchedly poor, which were uſually held to be certain indications of this crime, but maſters of families, and matrons of a decent rank, and in the middle age of life, were ſeized and tortured. Though their confeſſions contained the moſt abſurd and incredible circumſtances, the king's prejudices, thoſe of the clergy and of the people, conſpired in believing their extravagancies without heſitation, and in puniſhing their perſons without mercy. Some of theſe unhappy ſufferers accuſed Bothwell of having conſulted them, in order to know the time of the king's death, and of having employed their art, to raiſe the ſtorms which had endangered the queen's life, and had detained James ſo long in Denmark. Upon this evidence that nobleman was committed to priſon. His turbulent and haughty ſpirit could neither ſubmit to the reſtraint, nor brook ſuch an indignity. Having gained his keepers, he made his eſcape, and imputing the accuſation to the artifices of his enemy the chancellor, he aſſembled his followers,

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followers, under pretence of driving him from the king's councils. Being favoured by ſome of the king's attendants, he was admitted by a ſecret paſſage under cloud of night, into the court of the palace of Holyrood-houſe. He advanced directly towards the royal apartment, but happily before he entered, the alarm was taken, and the doors ſhut. While he attempted to burſt open ſome of them, and to ſet fire to others, the citizens of Edinburgh had time to run to their arms, and he eſcaped with the utmoſt difficulty; owing his ſafety to the darkneſs of the night, and the precipitancy with which he fled [c]. BOOK VIII. 1591. Dec. 27.

He retired towards the north, and the king having unadviſedly given a commiſſion to the earl of Huntly to purſue him and his followers with fire and ſword, he, under colour of executing that commiſſion, gratified his private revenge, and ſurrounded the houſe of the earl of Murray, burnt it to the ground, and ſlew Murray himſelf. The murder of a young nobleman of ſuch promiſing virtues, and the heir of the regent Murray, the darling of the people, excited univerſal indignation. The citizens of Edinburgh roſe in a tumultuous manner; and though they were reſtrained, by the care of the magiſtrates, from any act of violence, they threw aſide all reſpect for the king and his miniſters, and openly inſulted and threatened both. While this mutinous ſpirit continued, James thought it prudent to withdraw from the 1592. Feb. 8.

[c] Melv. 388. Spotſw. 386.

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BOOK VIII. 1592.

city, and fixed his residence for some time at Glasgow. There Huntly surrendered himself to justice; and, notwithstanding the atrociousness of his crime, and the clamours of the people, the power of the chancellor, with whom he was now closely confederated, and the king's regard for the memory of the duke of Lennox, whose daughter he had married, not only protected him from the sentence which such an odious action merited, but exempted him even from the formality of a public trial [d].

Presbyterian church-government established by law.

A STEP of much importance was taken soon after with regard to the government of the church. The clergy had long complained of the encroachments made upon their privileges and jurisdiction by the acts of the parliament one thousand five hundred and eighty-four, and though these laws had now lost much of their force, they resolved to petition the parliament, which was approaching, to repeal them in form. The juncture for pushing such a measure was well chosen. The king had lost much of the public favour by his lenity towards the popish faction, and still more by his remissness in pursuing the murderers of the earl of Murray. The chancellor had not only a powerful party of the courtiers combined against him, but was become odious to the people, who imputed to him every false step in the king's conduct. Bothwell still lurked in the kingdom, and being secretly supported by all the enemies of Maitland's administration,

[d] Spotsw. 387.

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niſtration, was ready every moment to renew his audacious enterpriſes. James, for all theſe reaſons, was extremely willing to indulge the clergy in their requeſt, and not only conſented to a law, whereby the acts of one thouſand five hundred and eighty-four were reſcinded or explained, but he carried his complaiſance ſtill further, and permitted the parliament to eſtabliſh the preſbyterian government, in its general aſſemblies, provincial ſynods, preſbyteries, and kirk ſeſſions, with all the different branches of their diſcipline and juriſdiction, in the moſt ample manner. All the zeal and authority of the clergy, even under the adminiſtration of regents, from whom they might have expected the moſt partial favour, could not obtain the ſanction of law, in confirmation of their mode of eccleſiaſtical government. No prince was ever leſs diſpoſed than James to approve a ſyſtem, the republican genius of which inſpired a paſſion for liberty extremely repugnant to his exalted notions of royal prerogative. Nor could any averſion be more inveterate than his, to the auſtere and uncomplying character of the preſbyterian clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and cenſured his conduct, with a freedom equally offenſive to his dogmatiſm as a theologian, and to his pride as a king. His ſituation, however, obliged him frequently to conceal, or to diſſemble, his ſentiments; and, as he often diſguſted his ſubjects, by indulging the popiſh faction more than they approved, he endeavoured to atone for this by con-

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BOOK VIII.

1592.

ceſſions to the preſbyterian clergy, more liberal than he himſelf would otherwiſe have choſen to grant [e].

In this parliament, Bothwell and all his adherents were attainted. But he ſoon made a new attempt to ſeize the king at Falkland; and James, betrayed by ſome of his courtiers, and feebly defended by others, who wiſhed well to Bothwell, as the chancellor's avowed enemy, owed his ſafety to the fidelity and vigilance of ſir Robert Melvil, and to the irreſolution of Bothwell's aſſociates [f].

A new conſpiracy of the popiſh lords.

Scarcely was this danger over, when the nation was alarmed with the diſcovery of a new and more formidable conſpiracy. George Ker, the lord Newbattle's brother, being ſeized as he was ready to ſet ſail for Spain, many ſuſpicious papers were found in his cuſtody, and among theſe, ſeveral blanks ſigned by the earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to eſcape any danger of diſcovery. But Ker's reſolution ſhrinking when torture was threatened, he confeſſed that he was employed by theſe noblemen to carry on a negociation with the king of Spain; that the blanks ſubſcribed with their names were to be filled up by Crichton and Tyrie; that they were inſtructed to offer the faithful ſervice of the three earls to that monarch; and to ſolicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the firſt place, to eſtabliſh the

[e] Cald. iv. 248. 252. Spotſw. 388. [f] Melv. 402.

Roman

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Roman catholic religion in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accuſed of being privy to the conſpiracy, were taken into cuſtody, and confirmed all the circumſtances of his confeſſion [s]. 1592.

THE nation having been kept for ſome time in continual terror and agitation by ſo many ſucceſſive conſpiracies, the diſcovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themſelves called upon to ſtand forth in defence of their country. The miniſters of Edinburgh, without waiting for any warrant from the king, who happened at that time to be abſent from the capital, and without having received any legal commiſſion, aſſembled a conſiderable number of peers and barons, in order to provide an inſtant ſecurity againſt the impending danger. They ſeized the earl of Angus, and committed him to the caſtle; they examined Ker; and prepared a remonſtrance to be laid before the king, concerning the ſtate of the nation, and the neceſſity of proſecuting the conſpirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with ſubjects, who, inſtead of petitioning, ſeemed to preſcribe to him, found it neceſſary, during the violence of the ferment, not only to adopt their plan, but even to declare that no conſideration ſhould ever induce him to pardon 1593. Zeal of the people, and proceedings of the king againſt them.

[s] Rymer, xvi. 190.

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1593. Jan. 8.

such as had been guilty of so odious a treason. He summoned the earls of Huntly and Errol to surrender themselves to justice. Graham of Fintry, whom his peers pronounced to be guilty of treason, he commanded to be publicly beheaded; and marching into the north at the head of an army, the two earls, together with Angus, who had escaped out of prison, retired to the mountains. He placed garrisons in the castles which belonged to them; compelled their vassals, and the barons in the adjacent countries, to subscribe a bond containing professions of their loyalty towards him, and of their firm adherence to the protestant faith; and the better to secure the tranquillity of that part of the kingdom, constituted the earls of Athol and Marischal his lieutenants there[h].

March 18. Elizabeth solicits him to treat them with rigour.

HAVING finished this expedition, James returned to Edinburgh, where he found lord Borrough, an extraordinary ambassador from the court of England. Elizabeth, alarmed at the discovery of a conspiracy which she considered as no less formidable to her own kingdom than to Scotland, reproached James with his former remissness, and urged him, as he regarded the preservation of the protestant religion, or the dignity of his own crown, to punish this repeated treason with rigour; and if he could not apprehend the persons, at least to confiscate the estates, of such audacious rebels. She weakened, however, the force of these requests, by interceding at the same time in behalf of Bothwell,

[h] Spotsw. 301. Cald. iv. 291.

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whom, according to her uſual policy in nouriſhing a factious ſpirit among the Scottiſh nobles, ſhe had taken under her protection. James abſolutely refuſed to liſten to any interceſſion in favour of one who had ſo often, and with ſo much outrage, inſulted both his government and his perſon. With regard to the popiſh conſpirators, he declared his reſolution to proſecute them with vigour; but that he might be the better able to do ſo, he demanded a ſmall ſum of money from Elizabeth, which ſhe, diſtruſtful perhaps of the manner in which he might apply it, ſhewed no inclination to grant. The zeal, however, and importunity of his own ſubjects obliged him to call a parliament, in order to paſs an act of attainder againſt the three earls. But before it met, Ker made his eſcape out of priſon, and, on pretence that legal evidence of their guilt could not be produced, nothing was concluded againſt them. The king himſelf was univerſally ſuſpected of having contrived this artifice, on purpoſe to elude the requeſts of the queen of England, and to diſappoint the wiſhes of his own people; and, therefore, in order to ſooth the clergy, who exclaimed loudly againſt his conduct, he gave way to the paſſing of an act, which ordained ſuch as obſtinately contemned the cenſures of the church to be declared outlaws[1].

Bothwell ſurpriſes the king.

WHILE the terror excited by the popiſh conſpiracy poſſeſſed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of one was the

[1] Cald. iv. 343. Spotſw. 393. Parl. 13 Jac. VI. c. 164.

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chancellor, in whom the king repoſed entire confidence. For that very reaſon, perhaps, he had fallen early under the queen's diſpleaſure. The duke of Lennox, the earl of Athol, lord Ochiltree, and all the name of Stewart, eſpouſed her quarrel, and widened the breach. James, fond no leſs of domeſtic tranquillity than of public peace, adviſed his favourite to retire, for ſome time, in hopes that the queen's reſentment would ſubſide. But as he ſtood in need, in the preſent juncture, of the aſſiſtance of an able miniſter, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourſe to an expedient no leſs illegal than deſperate. Having combined with Bothwell, who was of the ſame name, they brought him back ſecretly into Scotland; and ſeizing the gates of the palace, introduced him into the royal apartment with a numerous train of armed followers. James, though deſerted by all his courtiers, and incapable of reſiſtance, diſcovered more indignation than fear, and reproaching them for their treachery, called on the earl to finiſh his treaſons, by piercing his ſovereign to the heart. But Bothwell fell on his knees, and implored pardon. The king was not in a condition to refuſe his demands. A few days after he ſigned a capitulation with this ſucceſsful traitor, to whom he was really a priſoner, whereby he bound himſelf to grant him a remiſſion for all paſt offences, and to procure the ratification of it in parliament; and in the mean time to diſmiſs the chancellor, the maſter of Glamis, lord Home, and ſir George

1593.

July 24.

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George Home, from his councils and preſence. Bothwell, on his part, conſented to remove from court, though he left there as many of his aſſociates as he thought ſufficient to prevent the return of the adverſe faction. 1593.

He recovers his liberty. Sept. 7.

But it was now no eaſy matter to keep the king under the ſame kind of bondage to which he had been often ſubject during his minority. He diſcovered ſo much impatience to ſhake off his fetters, that thoſe who had impoſed, durſt not continue the reſtraint. They permitted him to call a convention of the nobles at Stirling, and to repair thither himſelf. All Bothwell's enemies, and all who were deſirous of gaining the king's favour by appearing to be ſo, obeyed the ſummons. They pronounced the inſult offered to the king's perſon and authority to be high treaſon, and declared him abſolved from any obligation to obſerve conditions extorted by force, and which violated ſo eſſentially his royal prerogative. James, however, ſtill proffered him a pardon, provided he would ſue for it as an act of mercy, and promiſe to retire out of the kingdom. Theſe conditions Bothwell rejected with diſdain, and betaking himſelf once more to arms, attempted to ſurpriſe the king; but finding him on his guard, fled to the borders [k].

Suſpected of favouring the popiſh lords.

The king's ardour againſt Bothwell, compared with his ſlow and evaſive proceedings againſt the popiſh lords, occaſioned a general diſguſt among his ſubjects; and was imputed either to an exceſſive attachment to the perſons of thoſe conſpira-

[k] Cald. iv. 326. Spotſw. 395.

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1593. Sept. 25.

tors, or to a ſeeret partiality towards their opinions; both which gave riſe to no unreaſonable fears. The clergy, as the immediate guardians of the proteſtant religion, thought themſelves bound, in ſuch a juncture, to take extraordinary ſteps for its preſervation. The provincial ſynod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late conſpiracy, as obſtinate and irreclaimable papiſts; and though none of the conſpirators reſided within the bounds of the ſynod, or were ſubject to its juriſdiction, ſuch was the zeal of the members, that, overlooking this irregularity, they pronounced againſt them the ſentence of excommunication, to which the act of laſt parliament added new terrors. Leſt this ſhould be imputed to a few men, and accounted the act of a ſmall part of the church, deputies were appointed to attend the adjacent ſynods, and to deſire their approbation and concurrence.

His lenity towards them. Oct. 17.

AN event happened a few weeks after, which increaſed the people's ſuſpicions of the king. As he was marching on an expedition againſt the borderers, the three popiſh earls coming ſuddenly into his preſence, offered to ſubmit themſelves to a legal trial; and James, without committing them to cuſtody, appointed a day for that purpoſe. They prepared to appear with a formidable train of their friends and vaſſals. But in the mean time the clergy, together with many peers and barons, aſſembling at Edinburgh, remonſtrated againſt the king's extreme indulgence with great boldneſs, and demanded

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demanded of him, according to the regular courſe of juſtice, to commit to ſure cuſtody perſons charged with the higheſt acts of treaſon, who could not be brought to a legal trial, until they were abſolved from the cenſures of the church; and to call a convention of eſtates, to deliberate concerning the method of proceeding againſt them. At the ſame time they offered to accompany him in arms to the place of trial, leſt ſuch audacious and powerful criminals ſhould overawe juſtice, and dictate to the judges, to whom they pretended to ſubmit. James, though extremely offended, both with the irregularity of their proceedings, and the preſumption of their demands, found it expedient to put off the day of trial, and to call a convention of eſtates, in order to quiet the fears and jealouſies of the people. By being humoured in this point, their ſuſpicions began gradually to abate, and the chancellor managed the convention ſo artfully, that he himſelf, together with a few other members, were impowered to pronounce a final ſentence upon the conſpirators. After much deliberation they ordained, that the three earls and their aſſociates ſhould be exempted from all further inquiry or proſecution, on account of their correſpondence with Spain; that, before the firſt day of February, they ſhould either ſubmit to the church, and publicly renounce the errors of popery, or remove out of the kingdom; that, before the firſt of January, they ſhould declare which of theſe alternatives they would embrace; that they ſhould find ſurety for their peaceable demeanor for the future; and that if

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Nov. 26.

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if they failed to signify their choice in due time, they should lose the benefit of this act of *abolition*, and remain exposed to all the pains of law[1].

1594. By this lenity towards the conspirators, James incurred much reproach, and gained no advantage. Devoted to the popish superstition, submissive to all the dictates of their priests, and buoyed up with hopes and promises of foreign aid, the three earls refused to accept of the conditions, and continued their treasonable correspondence with the court of Jan. 18. Spain. A convention of estates pronounced them to have forfeited the benefit of the articles which were offered; and the king required them, by proclamation, to surrender themselves to justice. The presence of the English ambassador contributed, perhaps, to the vigour of these proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to punish the popish lords to a secret approbation of their designs, had sent Lord Zouche to represent, once more, the danger to which he exposed himself, by this false moderation; and to require him to exercise that rigour which their crimes, as well as the posture of affairs, rendered necessary. Though the steps now taken by the king silenced all complaints on that head, yet Zouche, forgetful of his character as an ambassador, entered into private negotiations with such of the Scottish nobles as disapproved of the king's measures, and held almost an open correspondence with Bothwell, who, according to the usual artifice of malcontents,

[1] Cald. iv. 330. Spotsw. 397.

pretended

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1594.

pretended much ſolicitude for reforming the diſorders of the commonwealth; and covered his own ambition with the ſpecious veil of zeal againſt thoſe counſellors who reſtrained the king from purſuing the avowed enemies of the proteſtant faith. Zouche encouraged him, in the name of his miſtreſs, to take arms againſt his ſovereign.

A new attempt of Bothwell's.

MEANWHILE, the king and the clergy were filled with mutual diſtruſt of each other. They were jealous, perhaps, to exceſs, that James's affections leaned too much towards the popiſh faction; he ſuſpected them, without good reaſon, of prompting Bothwell to rebellion, and even of ſupplying him with money for that purpoſe. Little inſtigation, indeed, was wanting to rouſe ſuch a turbulent ſpirit as Bothwell's to any daring enterpriſe. He appeared ſuddenly within a mile of Edinburgh, at the head of four hundred horſe. The pretences, by which he endeavoured to juſtify this inſurrection, were extremely popular; zeal for religion, enmity to popery, concern for the king's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horſemen of lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with zeal, he promiſed to proceed againſt the popiſh lords with the utmoſt rigour of law. Animated by their miniſters, the citizens ran cheerfully to their arms, and advanced, with the king at their head, againſt Bothwell;

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1594. well; but he, notwithſtanding his ſucceſs in putting to flight lord Home, who had raſhly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the king. His followers abandoned him ſoon after, and diſcouraged by ſo many ſucceſſive diſappointments, could never afterwards be brought to venture into the field. He betook himſelf to his uſual lurking-places in the north of England; but Elizabeth, in compliance with the king's remonſtrances, obliged him to quit his retreat[m].

Freſh dangers from the popiſh lords April 3. No ſooner was the king delivered from one danger, than he was called to attend to another. The popiſh lords, in conſequence of their negotiations with Spain, received, in the ſpring, a ſupply of money from Philip. What bold deſigns this might inſpire, it was no eaſy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the moſt deſperate actions were to be dreaded. The aſſembly of the church immediately took the alarm; remonſtrated againſt them with more bitterneſs than ever; and unanimouſly ratified the ſentence of excommunication pronounced by the ſynod of Fife. James himſelf, provoked by their obſtinacy and ingratitude, and afraid that his long forbearance would not only be generally diſpleaſing to his own ſubjects, but give riſe to unfavourable ſuſpicions among the Engliſh, exerted himſelf with unuſual vigour. He called a parliament;

June 8.

[m] Spotſw. 403. Cald. iv. 359.

laid

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laid before it all the circumſtances and aggravations of the conſpiracy; and though there were but few members preſent, and ſeveral of theſe connected with the conſpirators by blood or friendſhip, he prevailed on them, by his influence and importunity, to pronounce the moſt rigorous ſentence which the law can inflict. They were declared to be guilty of high treaſon, and their eſtates and honours forfeited. At the ſame time, ſtatutes, more ſevere than ever, were enacted againſt the profeſſors of the popiſh religion.

Battle of Glenlivet.

How to put this ſentence in execution, was a matter of great difficulty. Three powerful barons, cantoned in a part of the country of difficult acceſs, ſurrounded with numerous vaſſals, and ſupported by aid from a foreign prince, were more than an overmatch for a Scottiſh monarch. No intreaty could prevail on Elizabeth to advance the money, neceſſary for defraying the expences of an expedition againſt them. To attack them in perſon, with his own forces alone, might have expoſed James both to diſgrace and to danger. He had recourſe to the only expedient which remained in ſuch a ſituation, for aiding the impotence of ſovereign anthority; he delegated his authority to the earl of Argyll and lord Forbes, the leaders of two clans at enmity with the conſpirators; and gave them a commiſſion to invade their lands, and to ſeize the caſtles which belonged to them. Bothwell, notwithſtanding all his high pretenſions of zeal for the proteſtant religion, having now entered into a cloſe confederacy with them, the danger became every day more urging. Argyll, ſolicited

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1594. solicited by the king, and roused by the clergy, took the field at the head of seven thousand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but composed chiefly of gentlemen of the low countries, mounted on horseback, and who brought along with them a Oct. 3. train of field-pieces. They encountered each other with all the fury which hereditary enmity and ancient rivalship add to undisciplined courage. But 1595. the Highlanders, disconcerted by the first discharge of the cannon, to which they were little accustomed, and unable to resist the impression of cavalry, were soon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their disgrace, and calling on them to stand, and to vindicate the honour of their name[n].

On the first intelligence of this defeat, James, though obliged to pawn his jewels in order to raise money[o], assembled a small body of troops, and marched towards the north. He was joined by the Irvines, Keiths, Leslys, Forbeses, and other clans at enmity with Huntly and Errol, who having lost several of their principal followers at Glenlivat, and others refusing to bear arms against the king in person, were obliged to retire to the mountains. James wasted their lands; put garrisons in some of their castles; burnt others; and left the duke of Lennox as his lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from gathering to any head there, or

[n] Cald. iv. 408. [o] Birch, Mem. i. 186.

from

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from infeſting the low country. Reduced at laſt to extreme diſtreſs by the rigour of the ſeaſon, and the deſertion of their followers, they obtained the king's permiſſion to go beyond ſeas, and gave ſecurity that they ſhould neither return without his licence, nor engage in any new intrigues againſt the proteſtant religion, or the peace of the kingdom [p].

1595. Popiſh lords driven out of the kingdom.

By their exile, tranquillity was re-eſtabliſhed in the north of Scotland; and the firmneſs and vigour which James had diſplayed in his laſt proceedings againſt them, regained him, in a great degree, the confidence of his proteſtant ſubjects. But he ſunk in the ſame proportion, and for the ſame reaſon, in the eſteem of the Roman catholics. They had aſſerted his mother's right to the crown of England with ſo much warmth, that they could not, with any decency, reject his; and the indulgence, with which he affected to treat the profeſſors of the popiſh religion, inſpired them with ſuch hopes, that they viewed his acceſſion to the throne as no undeſirable event. But the rigour with which the king had lately purſued the conſpirators, and the ſevere ſtatutes againſt popery to which he had given his conſent, convinced them now that theſe hopes were viſionary; and they began to look about in queſt of ſome new ſucceſſor, whoſe rights they might oppoſe to his. The papiſts who reſided in England turned their eyes towards the earl of Eſſex, whoſe generous mind, though firmly eſtabliſhed in the proteſtant faith, abhorred the ſe-

The Roman catholics incenſed againſt James.

[p] Spotſw. 404. Cald. 373, &c.

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verities inflicted in that age on account of religious opinions. Thoſe of the ſame ſect, who were in exile, formed a bolder ſcheme, and one more ſuitable to their ſituation. They advanced the claim of the infanta of Spain; and Parſons the jeſuit publiſhed a book, in which, by falſe quotations from hiſtory, by fabulous genealogies, and abſurd arguments, intermingled with bitter invectives againſt the king of Scots, he endeavoured to prove the infanta's title to the Engliſh crown to be preferable to his. Philip, though involved already in a war both with France and England, and ſcarce able to defend the remains of the Burgundian provinces againſt the Dutch commonwealth, eagerly graſped at this airy project. The dread of a Spaniſh pretender to the crown, and the oppoſition which the papiſts began to form againſt the king's ſucceſſion, contributed not a little to remove the prejudices of the proteſtants, and to prepare the way for that event.

Bothwell forced to fly into Spain.

BOTHWELL, whoſe name has been ſo often mentioned as the diſturber of the king's tranquillity, and of the peace of the kingdom, was now in a wretched condition. Abandoned by the queen of England, on account of his confederacy with the popiſh lords; excommunicated by the church for the ſame reaſon; and deſerted, in his diſtreſs, by his own followers; he was obliged to fly for ſafety to France, and thence to Spain and Italy, where, after renouncing the proteſtant faith, he led many years an obſcure and indigent life, remarkable only for a low and infamous debauchery. The king, though extremely ready to ſacrifice the ſtrongeſt reſentment

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ſentment to the ſlighteſt acknowledgments, could never be ſoftened by his ſubmiſſion, nor be induced to liſten to any interceſſion in his behalf [q].

THIS year the king loſt chancellor Maitland, an able miniſter, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote in honour of his memory, a copy of verſes, which, when compared with the compoſitions of that age, are far from being inelegant [r].

A change in the adminiſtration.

SOON after his death, a conſiderable change was made in the adminiſtration. At that time, the annual charges of government far exceeded the king's revenues. The queen was fond of expenſive amuſements. James himſelf was a ſtranger to œconomy. It became neceſſary, for all theſe reaſons, to levy the public revenues with greater order and rigour, and to huſband them with more care. This important truſt was committed to eight gentlemen of the law [s], who, from their number, were called *Octavians*. The powers veſted in them were ample, and almoſt unlimited. The king bound himſelf neither to add to their number, nor to ſupply any vacancy that might happen, without their conſent; And, knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a

[q] Winw. Mem. i. Spotſw. 410. [r] Spotſw. 411.

[s] Alexander Seaton preſident of the ſeſſion, Walter Stewart commendator of Blantyre lord privy-ſeal, David Carnegy, John Lindſay, James Elphingſtone, Thomas Hamilton, John Skene clerk regiſter, and Peter Young elemoſynar.

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penſion, or order on the treaſury, ſhould be held valid, unleſs it were ratified by the ſubſcription of five of the commiſſioners; all their acts and deciſions were declared to be of equal force with the ſentence of judges in civil courts; and in conſequence of them, and without any other warrant, any perſon might be arreſted, or their goods ſeized. Such extenſive juriſdiction, together with the abſolute diſpoſal of the public money, drew the whole executive part of government into their hands. United among themſelves, they gradually undermined the reſt of the king's miniſters, and ſeized on every lucrative or honourable office. The ancient ſervants of the crown repined at being obliged to quit their ſtations to new men. The favourites and young courtiers murmured at ſeeing the king's liberality ſtinted by their preſcriptions. And the clergy exclaimed againſt ſome of them as known apoſtates to popery, and ſuſpected others of ſecretly favouring it. They retained their power, however, notwithſtanding this general combination againſt them; and they owed it entirely to the order and œconomy which they introduced into the adminiſtration of the finances, by which the neceſſary expences of government were more eaſily defrayed than in any other period of the king's reign [t].

1595.

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Violence of the nation againſt the popiſh lords.

THE rumour of vaſt preparations which Philip was ſaid to be carrying on at this time, filled both England and Scotland with the dread of a new invaſion. James took proper meaſures for the de-

[t] Spotſw. 413. 435.

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fence of his kingdom. But theſe did not ſatisfy the zeal of the clergy, whoſe ſuſpicions of the king's ſincerity began to revive; and as he had permitted the wives of the baniſhed peers to levy the rents of their eſtates, and to live in their houſes, they charged him with rendering the act of forfeiture ineffectual, by ſupporting the avowed enemies of the proteſtant faith. The aſſembly of the church took under conſideration the ſtate of the kingdom, and having appointed a day of public faſting, they ſolemnly renewed the covenant by which the nation was bound to adhere to the proteſtant faith, and to defend it againſt all aggreſſors. A committee, conſiſting of the moſt eminent clergymen, and of many barons and gentlemen of diſtinction, waited on the king, and laid before him a plan for the ſecurity of the kingdom, and the preſervation of religion. They urged him to appropriate the eſtates of the baniſhed lords as a fund for the maintenance of ſoldiers; to take the ſtricteſt precautions for preventing the return of ſuch turbulent ſubjects into the country; and to purſue all who were ſuſpected of being their adherents with the utmoſt rigour.

1596.

March 24.

NOTHING could be more repugnant to the king's ſchemes, or more diſagreeable to his inclination, than theſe propoſitions. Averſe, through his whole life, to any courſe where he expected oppoſition or danger; and fond of attaining his ends with the character of moderation, and by the arts of policy, he obſerved with concern the prejudices againſt him which were growing among the Roman catholics, and reſolved to make ſome

The king's remiſſneſs with regard to them.

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atonement for that part of his conduct which had drawn upon him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any popiſh competitor ſhould ariſe to diſpute his right of ſucceſſion, a faction ſo powerful as that of the baniſhed lords might be extremely formidable; and any diviſion among his own ſubjects might prove fatal at a juncture which would require their united and moſt vigorous efforts. Inſtead, therefore, of the additional ſeverities which the aſſembly propoſed, James had thoughts of mitigating the puniſhment which they already ſuffered. And as they were ſurrounded, during their reſidence in foreign parts, by Philip's emiſſaries; as reſentment might diſpoſe them to liſten more favourably than ever to their ſuggeſtions; as deſpair might drive them to ſtill more atrocious actions; he reſolved to recal them, under certain conditions, into their native country. Encouraged by theſe ſentiments of the king in their favour, of which they did not want intelligence, and wearied already of the dependant and anxious life of exiles, they ventured to return ſecretly into Scotland. Soon after, they preſented a petition to the king, begging his permiſſion to reſide at their own houſes, and offering to give ſecurity for their peaceable and dutiful behaviour. James called a convention of eſtates to deliberate on a matter of ſuch importance, and by their advice he granted the petition.

The raſh proceedings of the clergy and people.

THE members of a committee appointed by the laſt general aſſembly, as ſoon as they were informed of this, met at Edinburgh, and with all

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the precipitancy of fear and of zeal, took ſuch reſolutions as they thought neceſſary for the ſafety of the kingdom. They wrote circular letters to all the preſbyteries in Scotland; they warned them of the approaching danger; they exhorted them to ſtir up their people to the defence of their juſt rights; they commanded them to publiſh, in all their pulpits, the act excommunicating the popiſh lords; and enjoined them to lay all thoſe who were ſuſpected of favouring popery under the ſame cenſure by a ſummary ſentence, and without obſerving the uſual formalities of trial. As the danger ſeemed too preſſing to wait for the ſtated meetings of the judicatories of the church, they made choice of the moſt eminent clergymen in different corners of the kingdom, appointed them to reſide conſtantly at Edinburgh, and to meet every day with the miniſters of that city, under the name of the *Standing Council of the Church*, and veſted in this body the ſupreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the church ſhould receive no detriment.

THESE proceedings, no leſs unconſtitutional than unprecedented, were manifeſt encroachments on the royal prerogative, and bold ſteps towards open rebellion. The king's conduct, however, juſtified in ſome degree ſuch exceſſes. His lenity towards the papiſts, ſo repugnant to the principles of that age; his pardoning the conſpirators, notwithſtanding repeated promiſes to the contrary; the reſpect he paid to lady Huntly, who was attached to the Romiſh religion no leſs than her

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husband; his committing the care of his daughter, the princess Elizabeth, to lady Levingston, who was infected with the same superstition; the contempt with which he talked, on all occasions, both of the character of ministers, and of their function; were circumstances which might have filled minds, not prone by nature to jealousy, with some suspicions; and might have precipitated into rash councils those who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the clergy, or however laudable the end they had in view, they conducted their measures with no address, and even with little prudence. James discovered a strong inclination to avoid a rupture with the church, and, jealous as he was of his prerogative, would willingly have made many concessions for the sake of peace. By his command, some of the privy counsellors had an interview with the more moderate among the clergy, and enquired whether Huntly and his associates might not, upon making proper acknowledgments, be again received into the bosom of the church, and be exempted from any further punishment on account of their past apostasy and treasons. They replied, that though the gate of mercy stood always open for those who repented and returned, yet as these noblemen had been guilty of idolatry, a crime deserving death both by the law of God and of man, the civil magistrate could not legally grant them a pardon; and even though the church should absolve them, it was his duty to inflict punishment upon them. This inflexibility in those who

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who were reckoned the moſt compliant of the order, filled the king with indignation, which the imprudence and obſtinacy of a private clergyman heightened into rage.

Seditious doctrine taught by Black.

Mr. David Black, miniſter of St. Andrew's, diſcourſing in one of his ſermons, according to cuſtom, concerning the ſtate of the nation, affirmed that the king had permitted the popiſh lords to return into Scotland, and by that action had diſcovered the treachery of his own heart; that all kings were the devil's children; that Satan had now the guidance of the court; that the queen of England was an atheiſt; that the judges were miſcreants and bribers; the nobility godleſs and degenerate; the privy counſellors cormorants, and men of no religion; and in his prayer for the queen he uſed theſe words, We muſt pray for her for faſhion-ſake, but we have no cauſe, ſhe will never do us good. James commanded him to be ſummoned before the privy council, to anſwer for ſuch ſeditious expreſſions; and the clergy, inſtead of abandoning him to the puniſhment which ſuch a petulant and criminal attack on his ſuperiors deſerved, were ſo imprudent as to eſpouſe his cauſe, as if it had been the common one of the whole order. The controverſy concerning the immunities of the pulpit, and the rights of the clergy to teſtify againſt vices of every kind, which had been agitated in one thouſand five hundred and eighty-four, was now revived. It was pretended that, with regard to their ſacred function, miniſters were ſubject to the church alone; that it belonged only to their eccleſi-

Nov. 10. The clergy eſpouſe his defence.

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ecclesiastical superiors to judge of the truth or falsehood of doctrines delivered in the pulpit; that if, upon any pretence whatever, the king usurped this jurisdiction, the church would, from that moment, sink under servitude to the civil magistrate; that, instead of reproving vice with that honest boldness which had often been of advantage to individuals, and salutary to the kingdom, the clergy would learn to flatter the passions of the prince, and to connive at the vices of others; that the king's eagerness to punish the indiscretion of a protestant minister, while he was so ready to pardon the crimes of popish conspirators, called on them to stand upon their guard, and that now was the time to contend for their privileges, and to prevent any encroachment on those rights, of which the church had been in possession ever since the Reformation. Influenced by these considerations, the council of the church enjoined Black to decline the jurisdiction of the privy council. Proud of such an opportunity to display his zeal, he presented a paper to that purpose, and with the utmost firmness refused to plead, or to answer the questions which were put to him. In order to add greater weight to these proceedings, the council of the church transmitted the *declinature* to all the presbyteries throughout the kingdom, and enjoined every minister to subscribe it in testimony of his approbation.

James defended his rights with no less vigour than they were attacked. Sensible of the contempt under which his authority must fall, if the clergy should

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ſhould be permitted publicly, and with impunity, to calumniate his miniſters, and even to cenſure himſelf; and knowing, by former examples, what unequal reparation for ſuch offences he might expect from the judicatories of the church, he urged on the enquiry into Black's conduct, and iſſued a proclamation, commanding the members of the council of the church to leave Edinburgh, and to return to their own pariſhes. Black, inſtead of ſubmitting, renewed his *declinature;* and the members of the council, in defiance of the proclamation, declared, that as they met by the authority of the church, obedience to it was a duty ſtill more ſacred than that which they owed to the king himſelf. The privy council, notwithſtanding Black's refuſing to plead, proceeded in the trial; and, after a ſolemn inquiry, pronounced him guilty of the crimes of which he had been accuſed; but referred it to the king to appoint what puniſhment he ſhould ſuffer.

MEANWHILE, many endeavours were uſed to bring matters to accommodation. Almoſt every day produced ſome new ſcheme of reconcilement; but, through the king's fickleneſs, the obſtinacy of the clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accuſations endeavoured to render each other odious. Inſolence, ſedition, treaſon, were the crimes with which James charged the clergy; while they made the pulpits reſound with complaints of his exceſſive lenity towards papiſts, and of the no leſs exceſſive rigour with which he oppreſſed the eſtabliſhed church,

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church. Exaſperated by their bold invectives, he, at laſt, ſentenced Black to retire beyond the river Spey, and to reſide there during his pleaſure; and once more commanding the members of the ſtanding council to depart from Edinburgh, he required all the miniſters of the kingdom to ſubſcribe a bond, obliging themſelves to ſubmit, in the ſame manner as other ſubjects, to the juriſdiction of the civil courts in matters of a civil nature.

A tumult in Edinburgh.

THIS deciſive meaſure excited all the violent paſſions which poſſeſs diſappointed factions; and deeds no leſs violent immediately followed. Theſe muſt be imputed in part to the artifices of ſome courtiers who expected to reap advantage from the calamities of their country, or who hoped to leſſen the authority of the Octavians, by engaging them in hoſtilities with the church. On one hand, they informed the king that the citizens of Edinburgh were under arms every night, and had planted a ſtrong guard round the houſes of their miniſters. James, in order to put a ſtop to this imaginary inſult on his government, iſſued a proclamation, commanding twenty-four of the principal citizens to leave the town within ſix hours. On the other hand, they wrote to the miniſters, adviſing them to look to their own ſafety, as Huntly had been ſecretly admitted to an interview with the king, and had been the author of the ſevere proclamation againſt the citizens of Edinburgh [u]. They doubted no more of the truth of

[u] Though matters were induſtriouſly aggravated by perſons who wiſhed both parties to purſue violent meaſures, neither of theſe

of this inteligence, than the king had done of that which he received, and fell as blindly into the ſnare. The letter came to their hands juſt as one of their number was going to mount the pulpit. They reſolved that he ſhould acquaint the people of their danger; and he painted it with all the ſtrong colours which men naturally employ in deſcribing any dreadful and inſtant calamity. When the ſermon was over, he deſired the nobles and gentlemen to aſſemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither; they promiſed and vowed to ſtand by the clergy; they drew up a petition to the king, craving the redreſs of thoſe grievances, of which the church complained, and beſeeching him to deliver them from all future apprehenſions of danger, by removing ſuch of his counſellors as were known to be enemies of the proteſtant religion. Two peers, two gentlemen, two burgeſſes, and two miniſters, were appointed to preſent it. The king happened to be in the great hall of the Tolbooth, where the court of ſeſſion was ſitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply; the petitioners inſiſted with warmth; and a promiſcuous multitude preſſing into the room, James

Decem. 17.

The king in danger.

theſe reports was altogether deſtitute of foundation. As their miniſters were ſuppoſed to be in danger, ſome of the more zealous citizens had determined to defend them by force of arms. Birch. Mem. ii. 250. Huntly had been privately in Edinburgh, where he had an interview, if not with the king, at leaſt with ſome of his miniſters. Birch. Ibid. 230.

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retired abruptly into another apartment, and commanded the gates to be ſhut behind him. The deputies returned to the multitude, who were ſtill aſſembled, and to whom a miniſter had been reading, in their abſence, the ſtory of Haman. When they reported that the king had refuſed to liſten to their petitions, the church was filled in a moment with noiſe, threatenings, execrations, and all the outrage and confuſion of a popular tumult. Some called for their arms, ſome to bring out the wicked Haman; others cried, The ſword of the Lord and of Gideon; and ruſhing out with the moſt furious impetuoſity, ſurrounded the Tolbooth, threatening the king himſelf, and demanding ſome of his counſellors, whom they named, that they might tear them in pieces. The magiſtrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the king attempted to ſoothe the malcontents, by promiſing to receive their petitions, when preſented in a regular manner; the miniſters, ſenſible of their own raſhneſs in kindling ſuch a flame, ſeconded both; and the rage of the populace ſubſiding as ſuddenly as it had ariſen, they all diſperſed, and the king returned to the palace; happy in having eſcaped from an inſurrection, which, through the inſtantaneous and unconcerted effect of popular fury, had expoſed his life to imminent danger, and was conſidered by him as an unpardonable affront to his authority [x].

[x] Spotſw. 417, &c. Cald. v. 54, &c. Birch. Mem. ii. 235.

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As ſoon as he retired, the leaders of the malcontents aſſembled, in order to prepare their petition. The puniſhment of the popiſh lords; the removal of thoſe counſellors who were ſuſpected of favouring their perſons or opinions; the repeal of all the late acts of council, ſubverſive of the authority of the church; together with an act approving the proceedings of the ſtanding council; were the chief of their demands. But the king's indignation was ſtill ſo high, that the deputies, choſen for this purpoſe, durſt not venture that night to preſent requeſts which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the ſeſſion, and other courts of juſtice, were required to leave a city where it was no longer conſiſtent either with their ſafety, or their dignity, to remain; and the noblemen and barons were commanded to return to their own houſes, and not to reaſſemble without the king's permiſſion. The vigour with which the king acted, ſtruck a damp upon the ſpirits of his adverſaries. The citizens, ſenſible how much they would ſuffer by his abſence, and the removal of the courts of juſtice, repented already of their conduct. The miniſters alone reſolved to maintain the conteſt. They endeavoured to prevent the nobles from diſperſing; they inflamed the people by violent invectives againſt the king; they laboured to procure ſubſcriptions to an aſſociation for their mutual defence; and conſcious what luſtre and power the junction of ſome of the greater nobles would add

He leaves Edinburgh, and proceeds with ſeverity againſt the citizens.

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1596. add to their cauſe, the miniſters of Edinburgh wrote to lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the church, had taken arms; that many of the nobles had determined to protect the proteſtant religion, which owed its eſtabliſhment to the piety and valour of their anceſtors; that they wanted only a leader to unite them, and to inſpire them with vigour; that his zeal for the good cauſe, no leſs than his noble birth, entitled him to that honour: They conjured him, therefore, not to diſappoint their hopes and wiſhes, nor to refuſe the ſuffering church that aid which ſhe ſo much need-

1597. ed. Lord Hamilton, inſtead of complying with their deſire, carried the letter directly to the king, whom this new inſult irritated to ſuch a degree, that he commanded the magiſtrates of Edinburgh inſtantly to ſeize their miniſters, as manifeſt incendiaries, and encouragers of rebellion. The magiſtrates, in order to regain the king's favour, were preparing to obey; and the miniſters, who ſaw no other hope of ſafety, fled towards England [r].

The king humbles the power of the church. Jan. 3.

THIS unſucceſsful inſurrection, inſtead of overturning, eſtabliſhed the king's authority. Thoſe concerned in it were confounded and diſperſed. The reſt of James's ſubjects, in order to avoid ſuſpicion, or to gain his favour, contended who ſhould be moſt forward to execute his vengeance. A convention of eſtates being called, pronounced the late inſurrection to be high treaſon; ordained every miniſter to ſubſcribe a declaration of his

[r] Spotſw. 451. Cald. v. 126.

ſubmiſſion

submission to the king's jurisdiction, in all matters civil and criminal; impowered magistrates to commit, instantly, to prison, any minister, who, in his sermons, should utter any indecent reflections on the king's conduct; prohibited any ecclesiastical judicatory to meet without the king's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the king's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action [a]. 1597.

Abridges the privileges of the citizens of Edinburgh.

Armed with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects. As the clergy had, hitherto, derived their chief credit and strength from the favour and zeal of the citizens of Edinburgh, his first care was to humble them. Though the magistrates submitted to him in the most abject terms; though they vindicated themselves, and their fellow-citizens, from the most distant intention of violating his royal person or authority; though, after the strictest scrutiny, no circumstances that could fix on them the suspicion of premeditated rebellion had been discovered; though many of the nobles, and such of the clergy as still retained any degree of favour, interceded in their behalf; neither acknowledgments, nor intercessions, were of the least avail [a]. The king continued inexorable, the Feb. 28.

[a] Cald. v. 147. [a] Ibid. v. 149.

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city was declared to have forfeited its privileges as a corporation, and to be liable to all the penalties of treason. The capital of the kingdom, deprived of magistrates, deserted by its ministers, abandoned by the courts of justice, and proscribed by the king, remained in desolation and despair. The courtiers even threatened to raze the city to the foundation, and to erect a pillar where it stood, as an everlasting monument of the king's vengeance, and of the guilt of its inhabitants. At last, in compliance with Elizabeth, who interposed in their favour, and moved by the continual solicitations of the nobles, James absolved the citizens from the penalties of law, but at the same time he stripped them of their most important privileges; they were neither allowed to elect their own magistrates nor their own ministers; many new burdens were imposed on them; and a considerable sum of money was exacted by way of peace-offering [b].

March 21.

New regulations with regard to the church.

James was, meanwhile, equally assiduous, and no less successful, in circumscribing the jurisdiction of the church. Experience had discovered that to attempt this, by acts of parliament, and sentences of privy council, was both ineffectual and odious. He had recourse now to an expedient more artful, and better calculated for obtaining his end. The ecclesiastical judicatories were composed of many members; the majority of the clergy were extremely indigent, and unprovided of legal stipends; the ministers in the neighbourhood of Edinburgh,

[b] Spotsw. 434. 444.

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notwithſtanding the parity eſtabliſhed by the preſ- BOOK VIII.
byterian government, had aſſumed a leading in
the church, which filled their brethren with envy; 1597.
every numerous body of men is ſuſceptible of ſud-
den and ſtrong impreſſions, and liable to be influ-
enced, corrupted, or overawed. Induced by theſe
conſiderations, James thought it poſſible to gain
the clergy, whom he had in vain attempted to ſub-
due. Proper agents were ſet to work all over the
kingdom; promiſes, flattery, and threats were
employed; the uſurpations of the brethren near
the capital were aggravated; the jealouſy of their
power, which was growing in the diſtant provinces,
was augmented; and two different general aſſem-
blies were held, in both which, notwithſtanding
the zeal and boldneſs wherewith a few leading
clergymen defended the privileges of the church,
a majority declared in favour of thoſe meaſures
which were agreeable to the king. Many prac-
tices, which had continued ſince the Reformation,
were condemned; many points of diſcipline, which
had hitherto been reckoned ſacred and uncontro-
verted, were given up; the licence with which
miniſters diſcourſed of political matters, was re-
ſtrained; the freedom with which they inveighed
againſt particular perſons was cenſured; ſentences
of ſummary excommunication were declared un-
lawful; the convoking a general aſſembly, without
the king's permiſſion, was prohibited; and the
right of nominating miniſters to the principal
towns, was veſted in the crown. Thus, the clergy
themſelves ſurrendered privileges, which it would
have been dangerous to invade, and voluntarily

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submitted to a yoke more intolerable than any James would have ventured to impose by force; while such as continued to oppose his measures, instead of their former popular topic of the king's violent encroachments on a jurisdiction which did not belong to him, were obliged to turn their outcries against the corruptions of their own order [c].

Popish lords pardoned.

By the authority of these general assemblies, the popish earls were allowed to make a public recantation of their errors; were absolved from the sentence of excommunication; and received into the bosom of the church. But, not many years after, they relapsed into their former errors, were again reconciled to the church of Rome, and by their apostasy justified, in some degree, the fears and scruples of the clergy with regard to their absolution.

The ministers of Edinburgh owed to the intercession of these assemblies the liberty of returning to their charges in the city. But this liberty was clogged in such a manner as greatly abridged their power. The city was divided into distinct parishes; the number of ministers doubled; persons on whose fidelity the king could rely were fixed in the new parishes; and these circumstances, added to the authority of the late decrees of the church, contributed to confirm that absolute dominion in ecclesiastical affairs, which James possessed during the remainder of his reign.

The king was so intent on new modelling the church, that the other transactions of this period

[c] Spotsw. 423. Calderw. v. 189. 253.

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ſcarce deſerve to be remembered. The Octavians, envied by the other courtiers, and ſplitting into factions among themſelves, reſigned their commiſſion; and the adminiſtration of the revenue returning into its former channel, both the king and the nation were deprived of the benefit of their regular and frugal œconomy.

Dec. 19. TOWARDS the end of the year, a parliament was held in order to reſtore Huntly and his aſſociates to their eſtates and honours, by repealing the act of forfeiture paſſed againſt them. The authority of this ſupreme court was likewiſe employed to introduce a farther innovation into the church; but, conformable to the ſyſtem which the king had now adopted, the motion for this purpoſe took its riſe from the clergy themſelves. As the act of general annexation, and that eſtabliſhing the preſbyterian government, had reduced the few biſhops, who ſtill ſurvived, to poverty and contempt; as thoſe who poſſeſſed the abbeys and priories were mere laymen, and many of them temporal peers, few or none of the eccleſiaſtical order remained to vote in parliament, and by means of that, the influence of the crown was conſiderably diminiſhed there, and a proper balance to the power and number of the nobles was wanting. But the prejudices which the nation had conceived againſt the name and character of biſhops were ſo violent, that James was obliged, with the utmoſt care, to avoid the appearance of a deſign to revive that order. He prevailed therefore on the commiſſion appointed by the laſt general aſſembly to complain to the parliament, that the

Eccleſiaſtics reſtored to a ſeat in parliament.

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church was the only body in the kingdom deſtitute of its repreſentatives in that ſupreme court, where it ſo nearly concerned every order to have ſome, who were bound to defend its rights; and to crave that a competent number of the clergy ſhould be admitted, according to ancient cuſtom, to a ſeat there. In compliance with this requeſt, an act was paſſed, by which thoſe miniſters, on whom the king ſhould confer the vacant biſhoprics and abbeys, were intitled to a vote in parliament; and that the clergy might conceive no jealouſy of any encroachment upon their privileges, it was remitted to the general aſſembly, to determine what ſpiritual juriſdiction or authority in the government of the church theſe perſons ſhould poſſeſs [d].

THE king, however, found it no eaſy matter to obtain the concurrence of the eccleſiaſtical judicatories, in which the act of parliament met with a fierce oppoſition. Though the clergy perceived how much luſtre this new privilege would reflect upon their order; though they were not inſenſible of the great acceſſion of perſonal power and dignity, which many of them would acquire, by being admitted into the ſupreme council of the nation, their abhorrence of epiſcopacy was extreme; and to that they ſacrificed every conſideration of intereſt or ambition. All the king's profeſſions of regard for the preſent conſtitution of the church did not convince them of his ſincerity; all the devices that could be invented for reſtraining and

[d] Spotſw. 450. Parl. 15th Jac. VI. c. 235.

circum-

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circumſcribing the juriſdiction of ſuch as were to be raiſed to this new honour, did not diminiſh their jealouſy and fear. Their own experience had taught them, with what inſinuating progreſs the hierarchy advances, and though admitted at firſt with moderate authority, and under ſpecious pretences, how rapidly it extends its dominion. "Varniſh over this ſcheme," ſaid one of the leading clergymen, "with what colours you pleaſe; "deck the intruder with the utmoſt art; under all "this diſguiſe, I ſee the horns of his mitre." The ſame ſentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal as ever thoſe of their order courted them. Many, however, were allured by the hopes of preferment; the king himſelf and his miniſters employed the ſame arts, which they had tried ſo ſucceſsfully laſt year; and after long debates, and much oppoſition, the general aſſembly declared that it was lawful for miniſters to accept of a ſeat in parliament; that it would be highly beneficial to the church, to have its repreſentatives in that ſupreme court; and that fifty-one perſons, a number nearly equal to that of the eccleſiaſtics, who were anciently called to parliament, ſhould be choſen from among the clergy for that purpoſe. The manner of their election, together with the powers to be veſted in them, were left undecided for the preſent, and furniſhed matter of future deliberation[*].

1598.

March 7.

[*] Spotſw. 450. Cald. v. 278.

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BOOK VIII.

1599. James endeavours with success to gain a party in England.

As the prospect of succeeding to the crown of England drew nearer, James multiplied precautions in order to render it certain. As he was allied to many of the princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These princes readily acknowledged the equity of his claim; but the aid which they could afford him was distant and feeble. At the same time, Edward Bruce, abbot of Kinloss, his ambassador at the English court, solicited Elizabeth, with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions which had hitherto induced Elizabeth to keep this great question obscure and undecided; and a general and evasive answer was all that James could obtain. As no impression could be made on the queen, the ambassador was commanded to sound the disposition of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negociation no less delicate than important. A minister of this character was entitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right, in opposition

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position to every pretender[f]. As ſeveral pamphlets were diſperſed, at this time, in England, containing objections to his title, James employed ſome learned men in his kingdom to anſwer theſe cavillers, and to explain the advantages which would reſult to both kingdoms by the union of the crowns. Theſe books were eagerly read, and contributed not a little to reconcile the Engliſh to that event. A book publiſhed this year by the king himſelf, produced an effect ſtill more favourable. It was intitled *Baſilicon Doron*, and contained precepts concerning the art of government, addreſſed to prince Henry his ſon. Notwithſtanding the great alterations and refinements in national taſte ſince that time, we muſt allow this to be no contemptible performance, and not to be inferior to the works of moſt contemporary writers, either in purity of ſtyle or juſtneſs of compoſition. Even the vain parade of erudition with which it abounds, and which now diſguſts us, raiſed the admiration of that age; and as it was filled with thoſe general rules which ſpeculative authors deliver for rendering a nation happy, and of which James could diſcourſe with great plauſibility, though often incapable of putting them in practice, the Engliſh conceived an high opinion of his abilities, and expected an increaſe of national honour and proſperity, under a prince ſo profoundly ſkilled in politics, and who gave ſuch a ſpecimen both of his wiſdom and of his love to his people[g].

[f] Johnſt. 242.

[g] Camd. Spotſw. 457.

THE

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THE queen of England's ſentiments concerning James, were very different from thoſe of her ſubjects. His exceſſive indulgence towards the popiſh lords; the facility with which he pardoned their repeated treaſons; his reſtoring Beaton, the popiſh archbiſhop of Glaſgow, who had fled out of Scotland at the time of the Reformation, to the poſſeſſion of the temporalities of that benefice; the appointing him his ambaſſador at the court of France; the applauſe he beſtowed, in the Baſilicon Doron, on thoſe who adhered to the queen his mother; Elizabeth conſidered as ſo many indications of a mind alienated from the proteſtant religion; and ſuſpected that he would ſoon revolt from the profeſſion of it. Theſe ſuſpicions ſeemed to be fully confirmed by a diſcovery which came from the maſter of Gray, who reſided at that time in Italy, and who, rather than ſuffer his intriguing ſpirit to be idle, demeaned himſelf ſo far as to act as a ſpy for the Engliſh court. He conveyed to Elizabeth the copy of a letter, written by James to pope Clement VIII. in which the king, after many expreſſions of regard for that pontiff, and of gratitude for his favours, declared his firm reſolution to treat the Roman catholics with indulgence; and, in order to render the intercourſe between the court of Rome and Scotland more frequent and familiar, he ſolicited the pope to promote Drummond, biſhop of Vaiſon, a Scotſman, to the dignity of a cardinal[h]. Elizabeth, who had received, by another channel[i], ſome im-

Accuſes him of correſponding with the pope.

[h] Cald. 333.

[i] Winw. Mem. vol. i. 37. 52.

perfect

perfect intelligence of this correſpondence, was filled with juſt ſurpriſe, and immediately diſpatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action ſo unbecoming a proteſtant prince. He was aſtoniſhed at the accuſation, and with a confidence which nothing but the conſciouſneſs of innocence could inſpire, affirmed the whole to be a mere calumny, and the letter itſelf to be forged by his enemies, on purpoſe to bring his ſincerity in religion to be ſuſpected. Elphingſton, the ſecretary of ſtate, denied the matter with equal ſolemnity. It came, however, to be known by a very ſingular accident, which happened ſome years after, that the information which Elizabeth had received was well founded, though at the ſame time the king's declarations of his own innocence were perfectly conſiſtent with truth. Cardinal Bellarmine, in a reply which he publiſhed to a controverſial treatiſe, of which the king was the author, accuſed him of having abandoned the favourable ſentiments which he had once entertained of the Roman catholic religion, and, as a proof of this, quoted his letter to Clement VIII. It was impoſſible, any longer, to believe this to be a fiction; and it was a matter too delicate to be paſſed over without ſtrict enquiry. James immediately examined Elphingſton, and his confeſſion unravelled the whole myſtery. He acknowleged that he had ſhuffled in this letter among other papers, which he laid before the king to be ſigned, who ſuſpecting no ſuch deceit, ſubſcribed it together with the reſt, and

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and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his majesty's service; and, by flattering the Roman catholics with hopes of indulgence under the king's government, he imagined that he was paving the way for his more easy accession to the English throne. The privy council of England entertained very different sentiments of the secretary's conduct. In their opinion, not only the king's reputation had been exposed to reproach, but his life to danger, by this rash imposture; they even imputed the gun-powder treason to the rage and disappointment of the papists, upon finding that the hopes which this letter inspired, were frustrated. The secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty, but, by the queen's intercession, he obtained a pardon [k].

According to the account of other historians, James himself was no stranger to this correspondence with the pope; and, if we believe them, Elphingston, being intimidated by the threats of the English council, and deceived by the artifices of the earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct [l].

James at great pains to gain the Roman catholics.

But whether we impute the writing of this letter to the secretary's officious zeal, or to the king's command, it is certain, that, about this time, James

[k] State Trials, vol. i. 429. Spotsw. 456. 507. Johnst. 448.
[l] Cald. vol. v. 322. vi. 147.

was

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was at the utmoſt pains to gain the friendſhip of the Roman catholic princes, as a neceſſary precaution towards facilitating his acceſſion to the Engliſh throne. Lord Home, who was himſelf a papiſt, was intruſted with a ſecret commiſſion to the pope[m]; the archbiſhop of Glaſgow was an active inſtrument with thoſe of his own religion[n]. The pope expreſſed ſuch favourable ſentiments both of the king, and of his right to the crown of England, that James thought himſelf bound, ſome years after, to acknowledge the obligation in a public manner[o]. Sir James Lindſay made great progreſs in gaining the Engliſh papiſts to acknowledge his Majeſty's title. Of all theſe intrigues Elizabeth received obſcure hints from different quarters. The more imperfectly ſhe knew, the more violently ſhe ſuſpected the king's deſigns; and the natural jealouſy of her temper increaſing with age, ſhe obſerved his conduct with greater ſolicitude than ever.

1599.

THE queſtions with regard to the election and power of the repreſentatives of the church, were finally decided this year by the general aſſembly, which met at Montroſe. That place was choſen as moſt convenient for the miniſters of the north, among whom the king's influence chiefly lay. Although great numbers reſorted from the northern provinces, and the king employed his whole intereſt, and the authority of his own preſence, to gain a majority, the following regulations were with difficulty agreed on. That the general

1600. March 28. His regulations with regard to the church.

[m] Winw. Mem. vol. ii. 57.
[n] Cald. vol. vi. 147.
[o] Cald. vol. v. 604.

aſſembly

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assembly shall recommend six persons to every vacant benefice, which gave a title to a seat in parliament, out of whom the king should nominate one; that the person so elected, after obtaining his seat in parliament, shall neither propose nor consent to any thing there, that may affect the interest of the church, without special instructions to that purpose; that he shall be answerable for his conduct to every general assembly; and submit to its censure, without appeal, upon pain of infamy and excommunication; that he shall discharge the duties of a pastor, in a particular congregation; that he shall not usurp any ecclesiastical jurisdiction, superior to that of his other brethren; that if the church inflict on him the censure of deprivation, he shall thereby forfeit his seat in parliament; that he shall annually resign his commission to the general assembly, which may be restored to him, or not, as the assembly, with the king's approbation, shall judge most expedient for the good of the church[p]. Nothing could be more repugnant to the idea of episcopal government, than these regulations. It was not in consequence of rights derived from their office, but of powers conferred by a commission, that the ecclesiastical persons were to be admitted to a seat in parliament; they were the representatives, not the superiors, of the clergy. Destitute of all spiritual authority, even their civil jurisdiction was temporary. James, however, flattered himself that they would soon be able to shake

[p] Spotsw. 453. 457. Cald. vol. v. 368.

off

off these letters, and gradually acquire all the privileges which belonged to the episcopal order. The clergy dreaded the same thing; and of course he contended for the nomination of these commissioners, and they opposed it, not so much on account of the powers then vested in them, as of those to which it was believed they would soon attain [1].

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During this summer the kingdom enjoyed an unusual tranquillity. The clergy, after many struggles, were brought under great subjection; the popish earls were restored to their estates and honours, by the authority of parliament, and with the consent of the church; the rest of the nobles were at peace among themselves, and obedient to the royal authority; when, in the midst of this security, the king's life was exposed to the utmost danger, by a conspiracy altogether unexpected, and almost inexplicable. The authors of it were John Ruthven, earl of Gowrie, and his brother Alexander, the sons of that earl who was beheaded in the year one thousand five hundred and eighty-four. Nature had adorned both these young men, especially the elder brother, with many accomplishments, to which education had added its most elegant improvements. More learned than is usual among persons of their rank; more religious than is common at their age of life; generous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the most sanguine hopes of their early virtues. Notwithstanding

Gowrie's conspiracy.

[1] Spotsw. 454.

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all theſe noble qualities, ſome unknown motive engaged them in a conſpiracy, which, if we adhere to the account commonly received, muſt be tranſmitted to poſterity, as one of the moſt wicked, as well as one of the worſt concerted, of which hiſtory makes any mention.

On the fifth of Auguſt, as the king, who reſided during the hunting ſeaſon in his palace of Falkland, was going out to his ſport early in the morning, he was accoſted by Mr. Alexander Ruthven, who, with an air of great importance, told the king, that the evening before he had met an unknown man, of a ſuſpicious aſpect, walking alone in a by-path, near his brother's houſe at Perth; and on ſearching him, had found, under his cloak, a pot filled with a great quantity of foreign gold; that he had immediately ſeized both him and his treaſure, and, without communicating the matter to any perſon, had kept him confined and bound in a ſolitary houſe; and that he thought it his duty to impart ſuch a ſingular event firſt of all to his majeſty. James immediately ſuſpected this unknown perſon to be a ſeminary prieſt, ſupplied with foreign coin, in order to excite new commotions in the kingdom; and reſolved to impower the magiſtrates of Perth to call the perſon before them, and enquire into all the circumſtances of the ſtory. Ruthven violently oppoſed this reſolution, and with many arguments urged the king to ride directly to Perth, and to examine the matter in perſon. Meanwhile the chace began; and James, notwithſtanding his paſſion for that amuſement, could not help ruminating upon the

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the ſtrangeneſs of the tale, and on Ruthven's importunity. At laſt, he called him, and promiſed, when the ſport was over, to ſet out for Perth. The chace, however, continued long; and Ruthven, who all the while kept cloſe by the king, was ſtill urging him to make haſte. At the death of the buck he would not allow James to ſtay till a freſh horſe was brought him; and obſerving the duke of Lennox and the earl of Mar preparing to accompany the king, he entreated him to countermand them. This James refuſed; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raiſed ſome ſuſpicions in his mind; yet his own curioſity, and Ruthven's ſolicitations, prevailed on him to ſet out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the king's arrival, though he had already diſpatched two meſſengers for that purpoſe. At a little diſtance from the town, the earl, attended by ſeveral of the citizens, met the king, who had only twenty perſons in his train. No preparations were made for the king's entertainment; the earl appeared penſive and embarraſſed, and was at no pains to atone, by his courteſy or hoſpitality, for the bad fare with which he treated his gueſts. When the king's repaſt was over, his attendants were led to dine in another room, and he being left almoſt alone, Ruthven whiſpered him, that now was the time to go to the chamber where the unknown perſon was kept. James commanded him to bring ſir Thomas Erſkine along with them; but, inſtead of that, Ruthven ordered him not to follow: and

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conducting the king up a ſtair-caſe, and then through ſeveral apartments, the doors of which he locked behind him, led him at laſt into a ſmall ſtudy, in which there ſtood a man clad in armour, with a ſword and dagger by his ſide. The king, who expected to have found one diſarmed and bound, ſtarted at the ſight, and inquired if this was the perſon; but Ruthven ſnatching the dagger from the girdle of the man in armour, and holding it to the king's breaſt, "Remember," ſaid he, "how unjuſtly my father ſuffered by your "command; you are now my priſoner; ſubmit "to my diſpoſal without reſiſtance or outcry; "or this dagger ſhall inſtantly avenge his blood." James expoſtulated with Ruthven, intreated, and flattered him. The man whom he found in the ſtudy ſtood, all the while, trembling and diſmayed, without courage either to aid the king, or to ſecond his aggreſſor. Ruthven proteſted, that if the king raiſed no outcry, his life ſhould be ſafe; and, moved by ſome unknown reaſon, retired in order to call his brother, leaving to the man in armour the care of the king, whom he bound by oath not to make any noiſe during his abſence.

WHILE the king was in this dangerous ſituation, his attendants growing impatient to know whither he had retired, one of Gowrie's domeſtics entered the room haſtily, and told them that the king had juſt rode away towards Falkland. All of them ruſhed out into the ſtreet; and the earl, in the utmoſt hurry, called for their horſes. But by this time his brother had returned to the king, and ſwearing that now there was no remedy, he muſt

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1600.

muſt die, offered to bind his hands. Unarmed as James was, he ſcorned to ſubmit to that indignity; and cloſing with the aſſaſſin, a fierce ſtruggle enſued. The man in armour ſtood, as formerly, amazed and motionleſs; and the king, dragging Ruthven towards a window, which during his abſence he had perſuaded the perſon with whom he was left to open, cried, with a wild and affrighted voice, "Treaſon! Treaſon! Help! I "am murdered!" His attendants heard, and knew the voice; and ſaw, at the window, a hand which graſped the king's neck with violence. They flew with precipitation to his aſſiſtance. Lennox and Mar, with the greater number, ran up the principal ſtair-caſe, where they found all the doors ſhut, which they battered with the utmoſt fury, endeavouring to burſt them open. But ſir John Ramſey, entering by a back-ſtair, which led to the apartment where the king was, found the door open; and ruſhing upon Ruthven, who was ſtill ſtruggling with the king, ſtruck him twice with his dagger, and thruſt him towards the ſtair-caſe, where ſir Thomas Erſkine and ſir Hugh Herries met, and killed him; he crying with his laſt breath, "Alas! I am not to blame for this "action." During this ſcuffle, the man who had been concealed in the ſtudy eſcaped unobſerved. Together with Ramſey, Erſkine, and Herries, one Wilſon, a footman, entered the room where the king was, and before they had time to ſhut the door, Gowrie ruſhed in with a drawn ſword in each hand, followed by ſeven of his attendants well armed, and with a loud voice threatened them all

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with inſtant death. They immediately thruſt the king into the little ſtudy, and ſhutting the door upon him, encountered the earl. Notwithſtanding the inequality of numbers, ſir John Ramſey pierced Gowrie though the heart, and he fell down dead without uttering a word; his followers having received ſeveral wounds, immediately fled. Three of the king's defenders were likewiſe hurt in the conflict. A dreadful noiſe continued ſtill at the oppoſite door, where many perſons laboured in vain to force a paſſage; and the king being aſſured that they were Lennox, Mar, and his other friends, it was opened on the inſide. They ran to the king, whom they unexpectedly found ſafe, with tranſports of congratulation; and he, falling on his knees, with all his attendants around him, offered ſolemn thanks to God for ſuch a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whoſe provoſt Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and ſurrounded the houſe, threatening revenge, with many inſolent and opprobrious ſpeeches againſt the king. James endeavoured to pacify the enraged multitude, by ſpeaking to them from the window; he admitted their magiſtrates into the houſe; related to them all the circumſtances of the fact; and, their fury ſubſiding by degrees, they diſperſed. On ſearching the earl's pockets for papers that might diſcover his deſigns and accomplices, nothing was found but a ſmall parchment bag, full of magical characters and words of enchantment; and, if we may believe the

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account of the conſpiracy publiſhed by the king, "while theſe were about him, the wound of "which he died bled not; but as ſoon as they "were taken away, the blood guſhed out in great "abundance." After all the dangerous adventures of this buſy day, the king returned in the evening to Falkland, having committed the dead bodies of the two brothers to the cuſtody of the magiſtrates of Perth.

The motives of the conſpirators not eaſily explained.

NOTWITHSTANDING the minute detail which the king gave of all the circumſtances of this conſpiracy againſt his life, the motives which induced the two brothers to attempt an action ſo deteſtable, the end they had in view, and the accomplices on whoſe aid they depended, were altogether unknown. The words of Ruthven to the king gave ſome grounds to think that the deſire of revenging their father's death had inſtigated them to this attempt. But, whatever injuries their father had ſuffered, it is ſcarcely probable that they could impute them to the king, whoſe youth, as well as his ſubjection at that time to the violence of a faction, exempted him from being the object of reſentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had ſuffered, by benefits to his children; and Gowrie himſelf, ſenſible of his favour, had acknowledged it with the warmeſt expreſſions of gratitude. Three of the earl's attendants, being convicted of aſſiſting him in this aſſault on the king's ſervants, were executed at Perth; but they could give no light into the motives which had prompted

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their maſter to an action ſo repugnant to theſe acknowledgments. Diligent ſearch was made for the perſon concealed in the ſtudy, and from him great diſcoveries were expected. But Andrew Henderſon, the earl's ſteward, who, upon a promiſe of pardon, confeſſed himſelf to be the man, was as much a ſtranger to his maſter's deſign as the reſt; and though placed in the ſtudy by Gowrie's command, he did not even know for what end that ſtation had been aſſigned him. The whole tranſaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their ſcheme without either confident or accomplice, with unexampled ſecrecy as well as wickedneſs.

Sprot's diſcoveries concerning it.

An accident, no leſs ſtrange than the other circumſtances of the ſtory, and which happened nine years after, diſcovered that this opinion, however plauſible, was ill-founded; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whiſpered among ſeveral perſons that he knew ſome ſecrets relating to Gowrie's conſpiracy, the privy council thought the matter worthy of their attention, and ordered him to be ſeized. His confeſſion was partly voluntary, and partly forced from him by torture. According to his account, Logan of Reſtalrig, a gentleman of an opulent fortune, but of diſſolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he ſaid, had frequent interviews with Logan, in order to concert the plan of their operations; the earl had correſponded with him to the ſame purpoſe; and one Bour, Logan's confi-

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dent, was truſted with the ſecret, and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occaſion; and in confirmation of his teſtimony, ſeveral of Logan's letters, which a curioſity fatal to himſelf had prompted Sprot to ſteal from among Bour's papers, were produced[r]. Theſe were compared, by the privy council, with papers of Logan's hand-writing, and the reſemblance was manifeſt. Perſons of undoubted credit, and well-qualified to judge of the matter, examined them, and ſwore to their authenticity. Death itſelf did not exempt Logan from proſecution; his bones were dug up and tried for high treaſon, and, by a ſentence, equally odious and illegal[s], his

[r] Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot diſcover the name of the perſon to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this, however, and from other words in the letter, *Crom*. 95. that there were ſeveral perſons privy to the conſpiracy. The date of the firſt letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before. Ibid. It appears from the original *ſummons of forfaulture* againſt Logan's heirs, that Bour, though he had letters addreſſed to him with regard to a conſpiracy equally dangerous and important, was ſo illiterate that he could not read. "Jacobus Bour, literarum prorſus ignarus, dicti Geor. "gii opera in legendis omnibus ſcriptis ad eum miſſis, vel "pertinentibus, utebatur." This is altogether ſtrange; and nothing but the capricious character of Logan can account for his chuſing ſuch a confident.

[s] By the Roman law, perſons guilty of the crime of high treaſon might be tried even after death. This practice was

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his lands were forfeited, and his poſterity declared infamous. Sprot was condemned to be hanged for miſpriſion of treaſon. He adhered to his confeſſion to the laſt, and having promiſed, on the

adopted by the Scots, without any limitation, Parl. 1540. c. 69. But the unlimited exerciſe of this power was ſoon conceived to be dangerous; and the crown was laid under proper reſtrictions, by an act A.D. 1542, which has never been printed. The words of it are, "And becauſe the ſaid lords (i. e the lords of articles) think the ſaid act (viz. in 1540) too general, and prejudicial to the barons in the realm, therefore ſtatutes and ordains that the ſaid act ſhall have no place in time coming, but againſt the heirs of them that notoriouſly commit or ſhall commit leſe majeſty againſt the king's perſon, againſt the realm for averting the ſame, and againſt them that ſhall happen to betray the king's army allenarly, and being notoriouſly known in their time: and the heirs of theſe perſons to be called and judged within five years after the deceaſe of the ſaid perſons committers of the ſaid crimes; and the ſaid time being by-paſt, the ſaid heirs never to be purſued for the ſame." The ſentence againſt Logan violated this ſtatute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heir was called in queſtion more than five years after his death. It is remarkable that this ſtatute ſeems not to have been attended to in the parliament which forfeited Logan. Another ſingular circumſtance deſerves notice. As it is a maxim of juſtice that no perſon can be tried in abſence; and as lawyers are always tenacious of their forms, and often abſurd in their devices for preſerving them, they contrived that, in any proceſs againſt a dead perſon, his corpſe or bones ſhall be preſented at the bar. Examples of this occur frequently in the Scottiſh hiſtory. After the battle of Corrichie, the dead body of the earl of Huntly was preſented in parliament, before ſentence of *forfaulture* was pronounced againſt him. For the ſame reaſon the bodies of Gowrie and his brother were preſerved, in order that they might be produced in parliament. Logan's bones, in compliance with the ſame rule, were dug up. Mackenz. Crim. Law, Book i. Tit. 6. § 22.

ſcaffold,

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ſcaffold, to give the ſpectators a ſign in confirmation of the truth of what he had depoſed, he thrice clapped his hands after he was thrown off the ladder by the executioner [t].

[t] It appears that archbiſhop Spotſwood was preſent at the execution of Sprot, *Crom.* 115. and yet he ſeems to have given no credit to his diſcoveries. The manner in which he ſpeaks of him is remarkable: "Whether or not I ſhould mention the arraignment and execution of George Sprot, who ſuffered at Edinburgh, I am doubtful. His confeſſion, though voluntary and conſtant, carrying ſmall probability. The man depoſed, &c. It ſeemed to be a very fiction, and a mere invention of the man's own brain, for neither did he ſhew the letter, nor could any wiſe man think that Gowrie, who went about the treaſon ſo ſecretly, would have communicated the matter to ſuch a man as Logan was known to be." p. 508. Spotſwood could not be ignorant of the ſolemnity with which Logan had been tried, and of the proof brought of the authenticity of his letters. He himſelf was probably preſent in parliament at the trial. The earl of Dunbar, of whom he always ſpeaks with the higheſt reſpect, was the perſon who directed the proceſs againſt Logan. Such a peremptory declaration againſt the truth of Sprot's evidence, notwithſtanding all theſe circumſtances, is ſurpriſing. Sir Thomas Hamilton, the king's advocate at that time, and afterwards earl of Hadington, repreſents the proof produced at Logan's trial as extremely convincing; and in an original letter of his to the king, the 21ſt of June 1609, (in Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on:

"When the probation of the ſummons was referred to the lords of articles votes, they found uniformly, all in one voice, the ſaid ſummons to be ſo clearly proved, that they ſeemed to contend who ſhould be able moſt zealouſly to expreſs the ſatisfaction of his heart, not only by the moſt pithy words, but by tears of joy; diverſe of the beſt rank confeſſing, that, that whereof they doubted at their entry into the houſe was now ſo manifeſt, that they behoved to eſteem them traitors who ſhould any longer refuſe to declare their aſſured reſolution of the truth of that treaſon."

But

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But though it be thus unexpectedly diſcovered that Gowrie did not act without aſſociates, little additional light is thrown, by this diſcovery, on the motives and intention of his conduct. It appears almoſt incredible that two young men of ſuch diſtinguiſhed virtue ſhould revolt all at once from their duty. and attempt a crime ſo atrocious as the murder of their ſovereign. It appears ſtill more improbable, that they ſhould have concerted their undertaking with ſo little foreſight and prudence. If they intended that the deed ſhould have remained concealed, they could not have choſen a more improper ſcene for executing it, than their own houſe. If they intended that Henderſon ſhould have ſtruck the blow, they could not have pitched on a man more deſtitute of the courage that muſt direct the hand of an aſſaſſin; nor could they expect that he, unſolicited, and unacquainted with their purpoſe, would venture on ſuch a deſperate action. If Ruthven meant to ſtab the king with his own hand, why did he withdraw the dagger, after it was pointed at his breaſt? How could he leave the king after ſuch a plain declaration of his intention? Was it not prepoſterous to commit him to the keeping of ſuch a timid aſſociate as Henderſon? For what purpoſe did he waſte time in binding the hands of an unarmed man, whom he might eaſily have diſpatched with his ſword? Had Providence permitted them to embrue their hands in the blood of their ſovereign, what advantage could have accrued to them by his death? and what claims or pretenſions could they

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they have oppoſed to the rights of his children[u]? Inevitable and inſtant vengeance, together with perpetual infamy, were the only conſequences they could expect to follow ſuch a crime.

On the other hand, it is impoſſible to believe that the king had formed any deſign againſt the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealouſy or hatred[x]; nor was

[u] It has been aſſerted, that, in conſequence of the king's death, the earl of Gowrie might have pretended to the crown of England, as the ſon of Dorothea Stewart, daughter of lord Methven by Margaret of England, who, after her divorce from the earl of Angus, took that nobleman for her third huſband. Burnet Hiſt. of his own Times. But this aſſertion is ill-founded. It appears, from undoubted evidence, that lord Methven had only one child by queen Margaret, which died in its infancy, and Dorothea lady Ruthven was not the daughter of queen Margaret, but of Janet Stewart, lord Methven's ſecond wife, a daughter of John earl of Athol. Crawf. Peer. 329. And though Gowrie had really been deſcended from the blood-royal of England, the king at that time had a ſon and a daughter; and beſides them, lady Arabella Stewart, daughter of Charles earl of Lennox, had a preferable title to the crown of England.

[x] Sir Henry Neville, in a letter to ſir Ralph Winwood, imputes the death of the two brothers to a cauſe not mentioned by any of our hiſtorians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence, betwixt the king and his wife, and many are of opinion that the diſcovery of ſome affection between her and the earl of Gowrie's brother (who was killed with him) was the trueſt cauſe and motive of that tragedy." Winw. Mem. vol. i. 274. Whether the following paſſages in Nicholſon's letter be any confirmation of that ſuſpicion, is ſubmitted to the reader. In his letter, Sept. 22, 1602, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in

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was he of a ſpirit ſo ſanguinary, or ſo noted for raſh and deſperate valour, as to have attempted to murder them in their own houſe, where they were ſurrounded with many domeſtics, he only with a ſlender and unarmed train; where they could call to their aſſiſtance the inhabitants of a city, at the devotion of their family, while he was at a diſtance from all aid; and leaſt of all would he have choſen for his aſſociates in ſuch an enterprize, the earl of Mar and the duke of Lennox, the former connected in cloſe friendſhip with the houſe of Gowrie, and the latter married to one of the earl's ſiſters.

A conjecture concerning the intention of the conſpirators.

WHICHSOEVER of theſe oppoſite ſyſtems we embrace; whether we impute the intention of murder to Gowrie, or to the king; inſuperable difficulties ariſe, and we are involved in darkneſs, myſtery, and contradictions. Perhaps the ſource of the whole conſpiracy ought to be ſearched for deeper, and by deriving it from a more remote cauſe, we may diſcover it to be leſs criminal.

in of theſe two, and the queen of Scots dealing with them, and ſending away and furniſhing Mrs. Beatrix [their ſiſter] with ſuch information as ſir Thomas Erſkine has given, hath bred great ſuſpicion in the king of Scots that they come not in but upon ſome dangerous plot." In another letter, January 1, 1603, "The day of writing my laſt, Mrs. Beatrix Ruthven was brought by the lady Paiſley, and Mrs. of Angus, as one of their gentlewomen, into the court in the evening, and ſtowed in a chamber prepared for her by the queen's direction, where the queen had much time and conference with her. Of this the king got notice, and ſhewed his diſlike thereof to the queen, gently reproving her for it, and examining quietly of the queen's ſervants of the ſame, and of other matters thereunto belonging, with ſuch diſcretion and ſecrecy as requires ſuch a matter."

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1600.

To keep the king of Scots in continual dependance, was one great object of Elizabeth's policy. In order to this, ſhe ſometimes ſoothed him, and ſometimes bribed his miniſters and favourites; and when ſhe failed of attaining her end by theſe means, ſhe encouraged the clergy to render any adminiſtration which ſhe diſtruſted unpopular, by decrying it, or ſtirred up ſome faction of the nobles to oppoſe and to overturn it. In that fierce age, men little acquainted with the arts of undermining a miniſtry by intrigue, had recourſe to the ruder practice of rendering themſelves maſters of the king's perſon, that they might thereby obtain the direction of his councils. Thoſe nobles, who ſeized the king at the *Raid of Ruthven*, were inſtigated and ſupported by Elizabeth. Bothwell, in all his wild attempts, enjoyed her protection, and when they miſcarried, he was ſecure of a retreat in her dominions. The connections which James had been forming of late with the Roman catholic princes, his ſecret negociations in England with her ſubjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealouſy. She dreaded ſome great revolution in Scotland to be approaching, and it was her intereſt to prevent it. The earl of Gowrie was one of the moſt powerful of the Scottiſh nobles, and deſcended from anceſtors warmly attached to the Engliſh intereſt. He had adopted the ſame ſyſtem, and believed the welfare of his country to be inſeparably connected with the ſubſiſtence of the alliance between the two kingdoms. During his reſidence at Paris, he had contracted

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contracted an intimate friendſhip with ſir Henry Neville, the queen's ambaſſador there, and was recommended by him to his court, as a perſon of whom great uſe might be made[y]. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favour. From all theſe circumſtances a ſuſpicion may ariſe, that the plan of the conſpiracy againſt the king was formed at that time, in concert with her. Such a ſuſpicion prevailed in that age, and from the letters of Nicholſon, Elizabeth's agent in Scotland, it appears not to be deſtitute of foundation. An Engliſh ſhip was obſerved hovering, for ſome time, in the mouth of the frith of Forth. The earl's two younger brothers fled into England after the ill-ſucceſs of the conſpiracy, and were protected by Elizabeth. James himſelf, though he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the king's perſon, but only to circumſcribe his authority, and to thwart his ſchemes. His life was the ſureſt ſafe-guard of her own, and reſtrained the popiſh pretenders to her crown, and their abettors, from deſperate attempts, to which their impatience and bigotry might, otherwiſe, have urged them on. To have encouraged Gowrie to murder his ſovereign, would, on her part, have been an act of the utmoſt imprudence. Nor does this ſeem to have been the intention of the two brothers. Mr. Ruthven, firſt of all, endeavoured to decoy the king to Perth, without

[y] Winw. i. 156.

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any attendants. When theſe proved more numerous than was expected, the earl employed a ſtratagem in order ſo ſeparate them from the king, by pretending that he had rode away towards Falkland, and by calling haſtily for their horſes, that they might follow him. By their ſhutting James up, meanwhile, in a diſtant corner of the houſe, and by attempting to bind his hands, their deſign ſeems to have been rather to ſeize, than to aſſaſſinate him. Though Gowrie had not collected his followers in ſuch numbers as to have been able to detain him long a priſoner, in that part of the kingdom, by open force, he might ſoon have been conveyed aboard the Engliſh ſhip, which waited perhaps to receive him, and he might have been landed at Faſt-caſtle, a houſe of Logan's, in which, according to many obſcure hints in his letters, ſome rendezvous of the conſpirators was to be held. Amidſt the ſurpriſe and terror into which the king muſt have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was ſought. It was the intereſt of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance and merit of their own ſervices. Thus his fear, and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully underſtood, is apt to inſpire, augmented the whole tranſaction. On the other hand, the extravagance and improbability of the circumſtances which were added, detracted from the credit of thoſe which really happened; and

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and even furniſhed pretences for calling in queſtion the truth of the whole conſpiracy.

1600. Many diſbelieve the account publiſhed by the king.

THE account of what had happened at Perth reached Edinburgh next morning. The privy council commanded the miniſters of that city inſtantly to aſſemble their people; and, after relating to them the circumſtances of the conſpiracy formed againſt the king's life, to return public thanks to God, for the protection which he had ſo viſibly afforded him. But as the firſt accounts tranſmitted to Edinburgh, written in a hurry, and while the circumſtances of the conſpiracy were but imperfectly known, and the paſſions which it excited ſtrongly felt, were indiſtinct, exaggerated, and contradictory, the miniſters laid hold of this; and though they offered to give public thanks to God for the king's ſafety, they refuſed to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be ſtill dubious and uncertain.

A FEW days after, the king returned to Edinburgh; and though Galloway, the miniſter of his own chapel, made an harangue to the people at the public croſs, in which he recited all the circumſtances of the conſpiracy; though James himſelf, in their hearing, confirmed his account; though he commanded a narrative of the whole tranſaction to be publiſhed; the miniſters of that city, as well as many of their brethren, ſtill continued incredulous and unconvinced. Their high eſteem of Gowrie, their jealouſy of every part of the king's conduct, added to ſome falſe and many improbable circumſtances in the narrative, not only

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only led them to ſuſpect the whole, but gave their ſuſpicions an air of credibility. But at length, the king, partly by arguments, partly by threats, prevailed on all of them, except Mr. Robert Bruce, to own that they were convinced of the truth of the conſpiracy. He could be brought no farther than to declare, that he reverenced the king's account of the tranſaction, but could not ſay that he himſelf was perſuaded of the truth of it. The ſcruples or obſtinacy of a ſingle man would have been little regarded; but as the ſame ſpirit of incredulity began to ſpread among the people, the example of one in ſo high reputation for integrity and abilities, was extremely dangerous. The king was at the utmoſt pains to convince and to gain Bruce, but finding it impoſſible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement, baniſhed him the kingdom [z].

Proceedings of parliament againſt the conſpirators.

THE proceedings of parliament were not retarded by any ſcruples of this ſort. The dead bodies of the two brothers were produced there, according to law; an indictment for high treaſon was preferred againſt them; witneſſes were examined; and, by an unanimous ſentence, their eſtates and honours were forfeited; the puniſhment due to traitors was inflicted on their dead bodies; and, as if the puniſhment hitherto in uſe did not expreſs ſufficient deteſtation of their crimes, the parliament enacted that the ſurname of Ruthven ſhould be aboliſhed; and, in order to preſerve the

[z] Spotſw. 461, &c. Cald. v. 389, &c.

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memory of the king's miraculous eſcape, and to declare the ſenſe which the nation had of the divine goodneſs, to all future ages, appointed the fifth of Auguſt to be obſerved, annually, as a day of public thankſgiving [a].

THOUGH

[a] A few weeks after the death of the two brothers, the king publiſhed a *diſcourſe of their vile and unnatural conſpiracy againſt his life*. In the year 1713, George earl of Cromartie publiſhed an "Hiſtorical account of the conſpiracy by the earl of "Gowrie and Robert Logan of Reſtalrig, againſt king James "VI." He ſeems not to have ſeen the account which the king himſelf had given of that matter, and borrows the whole hiſtorical part from Spotſwood and other authors; but he has extracted from the public records the depoſitions of the witneſſes produced by the king's council, in order to make good the charge againſt the two brothers, and Logan their aſſociate. From theſe two treatiſes our knowledge of all the material circumſtances of the conſpiracy is derived. The evidence which they contain, one would expect to be authentic and deciſive. An account of a fact ſtill recent, publiſhed by royal authority, and the original depoſitions of perſons examined in preſence of the higheſt court in the nation, ought to convey a degree of evidence ſeldom attained in hiſtorical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this tranſaction is dark and problematical, the king's account and the depoſitions of the witneſſes not only vary, but contradict each other in ſo many circumſtances, that much room is ſtill left for heſitation and hiſtorical ſcepticiſm. The teſtimony of Henderſon is the fulleſt and moſt important, but in ſeveral particulars the king's account and his are contradictory. I. According to the king's account, while Mr. Ruthven was holding the dagger at his breaſt, "the fellow in the ſtudy ſtood quaking and trembling." Diſc. 17. But Henderſon ſays, that he himſelf wreſted the dagger out of Mr. Ruthven's hands. Diſc. 53. Crom. 50. Henderſon likewiſe boaſted to his wife, that he had that day twice ſaved the king from being ſtabbed. Diſc. 54. Crom. 53.

II. The

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BOOK VIII.

1601. Eſſex's conſpiracy againſt Elizabeth.

THOUGH Gowrie's conſpiracy occaſioned a ſudden and a great alarm, it was followed by no conſequences of importance; and having been concerted by the two brothers, either without any aſſociates, or

II. The king aſſerts that Henderſon opened the window during Mr. Ruthven's abſence. Diſc. 23. Henderſon depoſes that he was only attempting to open it when Mr. Ruthven returned; and that during the ſtruggle between the king and him, he opened it. Diſc. 53, 54. Crom. 51, 52. III. If we may believe the king, the fellow in the ſtudy ſtood, during the ſtruggle, behind the king's back, inactive and trembling all the time. Diſc. 27. But Henderſon affirms, that he ſnatched away the garter with which Mr. Ruthven attempted to bind the king; that he pulled back Mr. Ruthven's hand, while he was endeavouring to ſtop the king's mouth, and that he opened the window. Diſc. 54. Crom. 52. IV. By the king's account, Mr. Ruthven left him in the ſtudy, and went away in order to meet with his brother, and the earl came up the ſtairs for the ſame purpoſe. Diſc. 23. Henderſon depoſes, that when Mr. Ruthven left the king, "he believes that he did not paſs from the door." Crom. 51. It is apparent both from the ſituation of the houſe, and from other circumſtances, that there could not poſſibly have been any interview between the brothers at this time. Diſc. 23.

Henderſon was twice examined, firſt at Falkland before the privy council in Auguſt, and next at Edinburgh before the parliament in November. Not to mention ſome leſſer variations between theſe depoſitions, we ſhall point out two which are remarkable. In his firſt depoſition, Mr. Henderſon relates the moſt material circumſtance of the whole in theſe words: "Mr. Ruthven pulled out the deponent's dagger, and "held the ſame to his Majeſty's breaſt, ſaying, *Remember "you of my father's murder; you ſhall now die for it:* and "pointing to his highneſs's heart, with the dagger, the "deponent threw the ſame out of Mr. Ruthven's hands, and "ſwore that as God ſhould judge his ſoul, that if Mr. Ruthven had retained the dagger in his hand, the ſpace a man "may go ſix ſteps, he would have ſtricken the king to the

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BOOK VIII. 1601.

or with such as were unknown, the danger was over as soon as discovered. But not long after, a conspiracy broke out in England against Elizabeth, which,

"hilts with it." Disc. 52. But at his second examination he varied from this in two material circumstances. First, the words he at that time put in Mr. Ruthven's mouth while he held the dagger at the king's breast are, "*Sir, you must be my prisoner; remember on my father's death.*" Secondly, when he threatened him with death, it was only to deter him from making any noise, "*Hold your tongue, or by Christ you shall die.*" 2. In his first deposition, the words of Mr. Ruthven, when he returned to the chamber where he had left the king, are, "*There is no remedy, by God you must die.*" But in his second deposition, "By God there is no remedy, and offered to bind his majesty's hands." Crom. 51. The material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the king. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses. 1. In the discourse published by authority, it is insinuated that the tumult of the inhabitants was raised against the king, and that it required some art to pacify them. Disc. 32. The duke of Lennox confirms this in his deposition. Crom. 44. An act of privy council summoning the magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the bailies of the town, deposes, that he himself raised the people, and that they took arms in order to assist the king. Crom. 66. 2. Henderson deposes, that he gave an evasive answer to Mr. John Moncrief, who inquired where he had been that morning, because the earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrief deposes to the same purpose. Crom. 64. And yet George Hay, afterwards lord Kinnoul, and the chancellor of Scotland, and Peter Hay, depose, that the earl, in their presence, asked Henderson, "Whom he found with the king

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which, though the firſt danger was inſtantly diſpelled, produced tragical effects, that rendered the cloſe of that queen's reign diſmal and unhappy. As James was deeply intereſted in that event, it merits our particular notice.

THE court of England was at this time divided between two powerful factions, which contended for the ſupreme direction of affairs. The leader of the one was Robert D'Evreux, earl of Eſſex; ſir Robert Cecil, the ſon of lord treaſurer Burleigh, was at the head of the other. The former was the moſt accompliſhed and the moſt popular of all the Engliſh nobles; brave, generous, affable; though impetuous, yet willing to liſten to the counſels of thoſe whom he loved; an avowed, but not an implacable enemy; a friend no leſs conſtant than warm; incapable of diſguiſing his own ſentiments, or of miſrepreſenting thoſe of others; better fitted for a camp than for a court; of a genius that qualified him for the firſt place in the adminiſtration, with a ſpirit which ſcorned the ſecond as below his merit. He was ſoon diſtinguiſhed by the queen, who, with a profuſion uncommon to her, conferred on him, even in his earlieſt youth, the higheſt honours. Nor did this diminiſh the eſteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his ſovereign, and the

king at Falkland?" Crom. 70, 71. Which queſtion ſeems to prove that he did not aim at keeping that journey a ſecret. In the Collection of Criminal Trials, publiſhed by Mr. Arnot in 1785, the evidence againſt the two brothers has been conſidered with great attention. P. 20, &c.

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darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply ſkilled in all its arts, was crafty, inſinuating, induſtrious; and though poſſeſſed of talents which fitted him for the higheſt offices, he did not rely upon his merit alone for attaining them, but availed himſelf of every advantage, which his own addreſs, or the miſtakes of others, afforded him. Two ſuch men were formed to be rivals and enemies. Eſſex deſpiſed the arts of Cecil as low and baſe. To Cecil, the earl's magnanimity appeared to be preſumption and folly. All the military men, except Raleigh, favoured Eſſex. Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own.

His correſpondence with the Scottiſh king.

As Elizabeth advanced in years, the ſtruggle between theſe factions became more violent. Eſſex, in order to ſtrengthen himſelf, had early courted the friendſhip of the king of Scots, for whoſe right of ſucceſſion he was a zealous advocate, and held a cloſe correſpondence both with him and with his principal miniſters. Cecil, devoted to the queen alone, roſe daily to new honours by the aſſiduity of his ſervices, and the patience with which he expected the reward of them; while the earl's high ſpirit and impetuoſity ſometimes expoſed him to checks from a miſtreſs, who though partial in her affection toward him, could not eaſily bear contradiction, and who conferred favours often unwillingly, and always ſlowly. His own ſolicitations, however, ſeconded maliciouſly by his enemies, who wiſhed to remove him at a diſtance from court, advanced him to the command

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mand of the army employed in Ireland againſt Tyronne, and to the office of lord lieutenant of that kingdom, with a commiſſion almoſt unlimited. His ſucceſs in that expedition did not equal either his own promiſes, or the expectations of Elizabeth. The queen, peeviſh from her diſappointment, and exaſperated againſt Eſſex by the artifices of his enemies, wrote him a harſh letter, full of accuſations and reproaches. Theſe his impatient ſpirit could not bear, and in the firſt tranſports of his reſentment, he propoſed to carry over a part of his army into England, and, by driving his enemies from the queen's preſence, to reinſtate himſelf in favour and in power. But, upon more mature thoughts, he abandoned this raſh deſign, and, ſetting ſail with a few officers devoted to his perſon, landed in England, and poſted directly to court. Elizabeth received him without any ſymptom either of affection or of diſpleaſure. By proper compliances and acknowledgments, he might have regained his former aſcendant over the queen. But he thought himſelf too deeply injured to ſubmit to theſe. Elizabeth, on the other hand, determined to ſubdue his haughty temper; and though her ſeverity drew from him the moſt humble letters, ſhe confined him to the lord keeper's houſe, and appointed commiſſioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permiſſion. By their ſentence, he was ſuſpended from all his offices, except that of maſter of the horſe, and continued a priſoner during the queen's pleaſure. Satisfied

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with having mortified his pride thus far, Elizabeth did not ſuffer the ſentence to be recorded, and ſoon after allowed him to retire to his own houſe. During theſe tranſactions, which occupied ſeveral months, Eſſex fluctuated between the allegiance he owed to his ſovereign, and the deſire of revenge; and ſometimes leaned to the one, and ſometimes to the other. In one of the intervals when the latter prevailed, he ſent a meſſenger into Scotland, to encourage the king to aſſert his own right to the ſucceſſion by force of arms, and to promiſe that, beſides the aſſiſtance of the earl and all his friends in England, lord Mountjoy, now lord lieutenant of Ireland, would join him with five thouſand men from that kingdom. But James did not chuſe to hazard the loſing a kingdom, of which he was juſt about to obtain poſſeſſion, by a premature attempt to ſeize it. Mountjoy, too, declined the enterpriſe, and Eſſex adopted more dutiful ſchemes; all thoughts of ambition appearing to be totally effaced out of his mind.

James's cautious conduct.

The wild attempts of Eſſex.

THIS moderation, which was merely the effect of diſguſt and diſappointment, was not of long continuance; and the queen, having not only refuſed to renew a lucrative grant which ſhe had formerly beſtowed, but even to admit him into her preſence, that new injury drove a temper, naturally impatient, and now much fretted, to abſolute deſpair. His friends, inſtead of ſoothing his rage, or reſtraining his impetuoſity, added to both by their imprudent and intereſted zeal. After many anxious conſultations, he determined to attempt to redreſs his wrongs by violence. But being conſcious

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conſcious how unpopular ſuch an enterpriſe would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the ſemblance of public utility, by mingling the king of Scotland's intereſt with his own. He wrote to James, that the faction which now predominated in the Engliſh court had reſolved to ſupport the pretenſions of the Infanta of Spain to the crown; that the places of the greateſt importance in the kingdom were put into the hands of his avowed enemies; and that unleſs he ſent ambaſſadors, without delay, to inſiſt on the immediate declaration of his right of ſucceſſion, their meaſures were ſo well concerted, that all his hopes would be deſperate. James, who knew how diſagreeable ſuch a propoſal would be to the queen of England, was not willing raſhly to expoſe himſelf to her diſpleaſure. Eſſex, nevertheleſs, blinded by reſentment, and impatient for revenge, abandoned himſelf to theſe paſſions, and acted like a man guided by frenzy or deſpair. With two or three hundred followers incompletely armed, he attempted to aſſault a throne the beſt eſtabliſhed in Europe. Sallying at their head out of his own houſe, he called on the citizens of London, if they either valued his life, or wiſhed to preſerve the kingdom from the dominion of the Spaniards, to take arms, and to follow his ſtandard. He advanced towards the palace with an intention to drive Cecil and his faction out of the queen's preſence, and to obtain a declaration of the Scotiſh king's right of ſucceſſion[b]. But, though al-

[b] Birch. Mem. ii. 477.

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most adored by the citizens, not a man would join him in this wild enterprise. Dispirited by their indifference, deserted by some of his own attendants, and almost surrounded by the troops which marched against him under different leaders into the city, he retreated to his own house; and without any bold effort, suitable to his present condition, or worthy of his former reputation for courage, he surrendered to his enemies.

As soon as James heard of Essex's ill success, he appointed the earl of Mar, and Bruce, abbot of Kinloss, to repair as his ambassadors to the court of England. The former of these was the person by whose means Essex had carried on his correspondence with the king. He was a passionate admirer of the earl's character, and disposed to attempt every thing that could contribute to his safety. Bruce, united in a close friendship with Mar, was ready to second him with equal zeal. Nor was the purpose of the embassy less friendly to Essex, than the choice of his ambassadors; they were commanded to solicit, in the warmest manner, for the earl's life, and if they found that the king, by avowing his friends, could either promote their designs, or contribute to their safety, they were empowered to lay aside all disguise, and to promise that he would put himself at their head, and claim what was due to him by force of arms[c]. But before the ambassadors could reach London, Essex had suffered the punishment which he merited by his treason. Perhaps the fear of their interposing, in order to

His death.

[c] Johnst. 289. Birch. Mem. ii. 510.

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obtain his pardon, haſtened his death. Elizabeth continued, for ſome time, irreſolute concerning his fate, and could not bring herſelf to conſign into the hands of the executioner, a man who had once poſſeſſed her favour ſo entirely, without a painful ſtruggle between her reſentment againſt his late miſconduct, and her ancient affection towards him. The diſtreſs to which ſhe was now reduced, tended naturally to ſoften the former, while it revived the latter with new tenderneſs; and the interceſſion of one faithful friend, who had intereſt with the queen, might perhaps have ſaved his life, and have procured him a remiſſion, which, of herſelf, ſhe was aſhamed to grant. But this generous nobleman had at that time no ſuch friend. Elizabeth, ſolicited inceſſantly by her miniſters, and offended with the haughtineſs of Eſſex, who, as ſhe imagined, ſcorned to ſue for pardon, at laſt commanded the ſentence to be put in execution. No ſooner was the blow ſtruck, than ſhe repented of her own raſhneſs, and bewailed his death with the deepeſt ſorrow. James always conſidered him as one who had fallen a martyr to his ſervice, and, after his acceſſion to the Engliſh throne, reſtored his ſon to his honours, as well as all his aſſociates in the conſpiracy, and diſtinguiſhed them with his favour [d].

James continues his intrigues in England.

THE Scottiſh ambaſſadors, finding that they had arrived too late to execute the chief buſineſs committed to their charge, not only concealed that part of their inſtructions with the utmoſt

[d] Camd. Spotſw. 464.

care;

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care; but congratulated the queen, in their maſter's name, on her happy eſcape from ſuch an audacious conſpiracy. Elizabeth, though no ſtranger to the king's correſpondence with Eſſex, or to that nobleman's intentions of aſſerting James's right to the crown, was not willing that theſe ſhould be known to the people, and, for that reaſon, received the congratulations of the Scottiſh ambaſſadors with all poſſible marks of credit and good will; and in order to ſooth James, and to preſerve the appearances of union between the two courts, increaſed the ſubſidy which ſhe paid him annually. The ambaſſadors reſided for ſome time in England, and were employed, with great ſucceſs, in renewing and extending the intrigues, which Bruce had formerly entered into with the Engliſh nobles. As Elizabeth advanced in years, the Engliſh turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future monarch. Aſſurances of attachment, profeſſions of regard, and promiſes of ſupport, were offered to James from every corner of the kingdom. Cecil himſelf, perceiving what hopes Eſſex had founded on the friendſhip of the Scottiſh king, and what advantages he might have derived from it, thought it prudent to ſtand no longer at a diſtance from a prince, who might ſo ſoon become his maſter. But being ſenſible at the ſame time how dangerous ſuch an intercourſe might prove, under a miſtreſs naturally jealous, and whoſe jealouſy grew ſtronger with old age; though he entered into a correſpondence with him, he carried

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carried it on with all the ſecrecy and caution neceſſary in his ſituation, and peculiar to his character [d]. James having gained the man whoſe oppoſition and influence he had hitherto chiefly dreaded, waited, in perfect ſecurity, till that event ſhould happen which would open his way to the throne of England [e]. It was with ſome difficulty that he reſtrained within proper bounds his adherents in that kingdom, who, labouring to diſtinguiſh themſelves by that officious zeal, with which a prince, who has a near proſpect of mounting the throne, is always ſerved, urged him to allow a motion to be made in parliament for declaring his right of ſucceſſion to the crown. James prudently diſcouraged that deſign; but it was with no ſmall ſatisfaction that he obſerved the aſcendant he was acquiring in a court, the dictates of which he had been ſo long obliged to obey; and which had either preſcribed or thwarted every ſtep he had taken during the whole courſe of his reign [f].

[d] See Appendix, No. LIII.

[e] Dr. Birch, in his life of prince Henry, p. 232. has given ſome account of the myſterious mode in which this correſpondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithſtanding the ſolicitude which Cecil repeatedly diſcovers that his letters ſhould be deſtroyed as ſoon as the king had read them, a conſiderable number of them has been preſerved, and publiſhed by ſir David Dalrymple in the year 1766. They were written by lord Henry Howard, under the inſpection of Cecil, in a ſtyle affectedly obſcure. The whole correſpondence is more curious than inſtructive.

[f] Spotſw. 467. 471. Birch. Mem. ii. 514.

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1602. Attempts to civilize the Highlanders.

NOTWITHSTANDING the violent ſtruggles of the political factions which divided the court, and the frequent revolutions which had happened there, ſince the king firſt took the reins of government into his own hands, Scotland had enjoyed unuſual tranquillity, being undiſturbed by any foreign enemy, and free from any inteſtine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Iſles, a part of his dominions too much neglected by former monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had afforded an opportunity of ſubduing the licentious ſpirit of the borderers, and of reſtraining their depredations, often no leſs ruinous to their countrymen than to their enemies. The inhabitants of the low country began, gradually, to forget the uſe of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fierceneſs, averſe from labour, and inured to rapine, infeſted their more induſtrious neighbours by their continual incurſions. James, being ſolicitous not only to repreſs their inroads, but to render them uſeful ſubjects[g], had at different times enacted many wiſe laws extremely conducive to theſe ends. All landlords, or chiefs of clans, were enjoined to permit no perſons to reſide in their eſtates who could not find ſufficient ſurety for their good behaviour; they were required to make a liſt of all ſuſpicious perſons

[g] Baſil. Dor. 139.

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under their jurisdiction, to bind themselves to deliver them to justice, and to indemnify those who should suffer by their robberies; and, in order to ascertain the faithful performance of these articles, the chiefs themselves were obliged to give hostages to the king, or to put pledges in his hands. Three towns, which might serve as a retreat for the industrious, and a nursery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the Isle of Lewis; and, in order to draw inhabitants thither, all the privileges of royal boroughs were to be conferred upon them. Finding it, however, to be no easy matter to inspire the natives of those countries with the love of industry, a resolution was taken to plant among them colonies of people from the more industrious counties. The first experiment was made in the isle of Lewis; and as it was advantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders, enraged at seeing their country occupied by those intruders, took arms, and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The king's attention being soon after turned to other subjects, we hear no more of this salutary project. Though James did

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did not purſue the deſign with that ſteady application and perſeverance, without which it is impoſſible to change the manners of a whole people, he had the glory, however, not only of having firſt conceived the thought, but of having firſt pointed out the proper method of introducing the civil arts of life into that part of the iſland [h].

Elizabeth's laſt illneſs and death.

AFTER having long enjoyed a good ſtate of health, the effect of a ſound conſtitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decreaſe, and to be ſenſible of the infirmities of old age. Having removed on a very ſtormy day from Weſtminſter to Richmond, whither ſhe was impatient to retire, her complaints increaſed. She had

1603. January 31.

no formed fever; her pulſe was good; but ſhe ate little, and could not ſleep. Her diſtemper ſeemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in ſolitude, ſhe ſat conſtantly in the dark; and was often drowned in tears.

No ſooner was the queen's indiſpoſition known, than perſons of all ranks, and of all different ſects and parties, redoubled their applications to the king of Scots, and vied with each other in profeſſions of attachment to his perſon, and in promiſes of ſubmiſſion to his government. Even ſome of Elizabeth's own ſervants, weary of the length of her reign, fond of novelty, impatient to get rid of the burthen of gratitude for paſt benefits, and expecting to ſhare in the liberality of

[h] Parl. 1587. 1594. 1597. Spotſw. 468.

a new

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a new prince, began to desert her: and crowds of people hurried towards Scotland, eager to preoccupy the favour of the successor, or afraid of being too late in paying homage to him.

Meanwhile, the queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder, from which she seemed to be exempted by the natural cheerfulness of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the earl of Tyronne, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with most indecent indifference, and looked forward to the accession of the Scottish king, with an impatience which they could not conceal. The most common opinion, at that time, and perhaps the most probable, was, that it flowed from grief for the earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears[1]. An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrows. The countess of Nottingham, being on her deathbed, desired to see the queen, in order to reveal something to her, without discovering which, she

[1] Birch. Mem. ii. 505.

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could not die in peace. When the queen came into her chamber, she told her, that while Essex lay under sentence of death, he was desirous of imploring pardon in the manner which the queen herself had prescribed, by returning a ring, which during the height of his favour she had given him, with a promise that if, in any future distress, he sent that back to her as a token, it should entitle him to her protection; that lady Scrope was the person he intended to employ in order to present it; that, by a mistake, it was put into her hands instead of lady Scrope's; and, that she having communicated the matter to her husband, one of Essex's most implacable enemies, he had forbid her either to carry the ring to the queen, or to return it to the earl. The countess having thus disclosed her secret, begged the queen's forgiveness: but Elizabeth, who now saw both the malice of the earl's enemies, and how unjustly she had suspected him of inflexible obstinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion[k]. From that moment,

[k] This anecdote concerning Elizabeth was first published by Osborne, Mem. of Eliz. p. 23; is confirmed by the testimony of de Maurier, Mem. 260, and by the traditional evidence of lady Elizabeth Spelman, published by Dr. Birch, Negoc. 106. Camden mentions the queen's grief for Essex's death as one of the causes of her melancholy. Some original papers remain, which prove that this was commonly believed at the time. Birch. Mem. ii. 596. Essex, however, had been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrows should revive with so much violence at so great a distance of time. As the death of the Countess of Nottingham happened

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moment, her ſpirit ſunk entirely; ſhe could ſcarce taſte food; ſhe refuſed all the medicines preſcribed by her phyſicians; declaring that ſhe wiſhed to die, and would live no longer. No intreaty could prevail on her to go to bed; ſhe ſat on cuſhions, during ten days and nights, penſive and ſilent, holding her finger almoſt continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which ſhe ſeemed to give any attention, was the acts of devotion performed in her apartment by the archbiſhop of Canterbury; and in theſe ſhe joined with great appearance of fervour. Waſted, at laſt, as well by anguiſh of mind, as by long abſtinence, ſhe expired, without a ſtruggle, on Thurſday the twenty-fourth day of March, in the ſeventieth year of her age, and in the forty-fifth of her reign [1]. 1603.

Her character.

FOREIGNERS often accuſe the Engliſh of indifference and diſreſpect towards their princes; but without reaſon. No people are more grateful than

happened about a fortnight before the queen's death, the coincidence of theſe events, together with the other evidence mentioned, adds ſo much probability to the ſtory related by Oſborne, as will entitle it to a place in hiſtory. The only objection to the account we have given of Elizabeth's attachment to Eſſex, ariſes from her great age. At the age of 68, the amorous paſſions are commonly abundantly cool, and the violence of all the paſſions, except one, is much abated. But the force of this objection is entirely removed by an author who has illuſtrated many paſſages in the Engliſh Hiſtory, and adorned more. Catalogue of Royal and Noble Authors, Article Eſſex.

[1] Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. Strype, iv. 373.

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1603. they to thoſe monarchs who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the Engliſh of this age with the ſame warmth as they were by thoſe who ſhared in the bleſſings and ſplendour of their reigns. The memory of Elizabeth is ſtill adored in England. The hiſtorians of that kingdom, after celebrating her love of her people; her ſagacity in diſcerning their true intereſt; her ſteadineſs in purſuing it; her wiſdom in the choice of her miniſters; the glory ſhe acquired by arms; the tranquillity ſhe ſecured to her ſubjects; and the increaſe of fame, of riches, and of commerce, which were the fruits of all theſe; juſtly rank her among the moſt illuſtrious princes. Even the defects in her character, they obſerve, were not of a kind pernicious to her people. Her exceſſive frugality was not accompanied with the love of hoarding; and, though it prevented ſome great undertakings, and rendered the ſucceſs of others incomplete, it introduced œconomy into her adminiſtration, and exempted the nation from many burdens, which a monarch, more profuſe or more enterpriſing, muſt have impoſed. Her ſlowneſs in rewarding her ſervants ſometimes diſcouraged uſeful merit; but it prevented the undeſerving from acquiring power and wealth, to which they had no title. Her extreme jealouſy of thoſe princes who pretended to diſpute her right to the crown, led her to take ſuch precautions, as tended no leſs to the public ſafety, than to her own; and to court the affections of her people, as the firmeſt ſupport of her throne.

Such

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Such is the picture which the Engliſh draw of this great queen.

WHOEVER undertakes to write the hiſtory of Scotland, finds himſelf obliged, frequently, to view her in a very different, and in a leſs amiable light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which ſhe poſſeſſed in her own. But this authority, acquired at firſt by a ſervice of great importance to the nation, ſhe exerciſed in a manner extremely pernicious to its happineſs. By her induſtry in fomenting the rage of the two contending factions; by ſupplying the one with partial aid; by feeding the other with falſe hopes; by balancing their power ſo artfully, that each of them was able to diſtreſs, and neither of them to ſubdue the other; ſhe rendered Scotland long the ſeat of diſcord, confuſion, and bloodſhed: and her craft and intrigues, effecting what the valour of her anceſtors could not accompliſh, reduced that kingdom to a ſtate of dependance on England. The maxims of policy, often little conſonant to thoſe of morality, may, perhaps, juſtify this conduct. But no apology can be offered for her behaviour to queen Mary; a ſcene of diſſimulation without neceſſity; and of ſeverity beyond example. In almoſt all her other actions, Elizabeth is the object of our higheſt admiration; in this we muſt allow that ſhe not only laid aſide the magnanimity which became a queen, but the feelings natural to a woman.

THOUGH Elizabeth would never permit the queſtion concerning the right of ſucceſſion to the crown

James proclaimed king of England.

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crown to be determined in parliament; nor declare her own ſentiments concerning a point which ſhe wiſhed to remain an impenetrable myſtery; ſhe had, however, formed no deſign of excluding the Scottiſh king from an inheritance to which his title was undoubted. A ſhort time before her death, ſhe broke the ſilence which ſhe had ſo long preſerved on that ſubject, and told Cecil and the lord admiral, "That her throne was the throne of kings; that ſhe would have no mean perſon to aſcend it, and that her couſin the king of Scots ſhould be her ſucceſſor." This ſhe confirmed on her death-bed. As ſoon as ſhe breathed her laſt, the lords of the privy council proclaimed James king of England. All the intrigues carried on by foreigners in favour of the infanta, all the cabals formed within the kingdom to ſupport the titles of lady Arabella and the earl of Hartford, diſappeared in a moment; the nobles and people, forgetting their ancient hoſtilities with Scotland, and their averſion for the dominion of ſtrangers, teſtified their ſatisfaction with louder acclamations than were uſual at the acceſſion of their native princes. Amidſt this tumult of joy, a motion made by a few patriots, who propoſed to preſcribe ſome conditions to the ſucceſſor, and to exact from him the redreſs of ſome grievances, before they called him to the throne, was ſcarcely heard; and Cecil, by ſtifling it, added to his ſtock of merit with his new maſter. Sir Charles Percy, brother of the earl of Northumberland, and Thomas Somerſet, the earl of Worceſter's ſon, were diſpatched to Scotland, with

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with a letter to the king, ſigned by all the peers and privy counſellors then in London; informing him of the queen's death, of his acceſſion to the throne, of their care to recognize his title, and of the univerſal applauſe with which the public proclamation of it had been attended. They made the utmoſt haſte to deliver this welcome meſſage; but were prevented by the zeal of ſir Robert Carey, lord Hunſdon's youngeſt ſon, who, ſetting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, juſt as the king had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the king's bed, acquainted him with the death of Elizabeth, ſaluted him king of England, Scotland, France, and Ireland; and as a token of the truth of the intelligence which he brought, preſented him a ring, which his ſiſter lady Scrope had taken from the queen's finger after her death. James heard him with a decent compoſure. But as Carey was only a private meſſenger, the information which he brought was not made public, and the king kept his apartment till the arrival of Percy and Somerſet. Then his titles were ſolemnly proclaimed; and his own ſubjects expreſſed no leſs joy, than the Engliſh, at this increaſe of his dignity. As his preſence was abſolutely neceſſary in England, where the people were extremely impatient to ſee their new ſovereign, he prepared to ſet out for that kingdom without delay. He appointed his queen to follow him within a few weeks. He committed the government of Scotland to his privy council. He intruſted the care

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of his children to different noblemen. On the Sunday before his departure, he repaired to the church of St. Giles, and after hearing a ſermon, in which the preacher diſplayed the greatneſs of the divine goodneſs in raiſing him to the throne of ſuch a powerful kingdom without oppoſition or bloodſhed, and exhorted him to expreſs his gratitude, by promoting, to the utmoſt, the happineſs and proſperity of his ſubjects; the king roſe up, and addreſſing himſelf to the people, made many profeſſions of unalterable affection towards them; promiſed to viſit Scotland frequently; aſſured them that his Scottiſh ſubjects, notwithſtanding his abſence, ſhould feel that he was their native prince, no leſs than when he reſided among them; and might ſtill truſt that his ears ſhould be always open to their petitions, which he would anſwer with the alacrity and love of a parent. His words were often interrupted by the tears of the whole audience; who, though they exulted at the king's proſperity, were melted into ſorrow by theſe tender declarations [m].

Takes poſſeſſion of the throne.

On the fifth of April he began his journey, with a ſplendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immenſe multitudes were aſſembled to welcome him; and the principal perſons in the different counties through which he paſſed, diſplayed all their wealth and magnificence in entertainments prepared for him at their houſes. Elizabeth had reigned ſo long in England, that moſt of her ſubjects re-

[m] Spotſw. 476.

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membered no other court but hers, and their notions of the manners and decorums ſuitable to a prince were formed upon what they had obſerved there. It was natural to apply this ſtandard to the behaviour and actions of their new monarch, and to compare him, at firſt ſight, with the queen, on whoſe throne he was to be placed. James, whoſe manners were extremely different from hers, ſuffered by the compariſon. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and, though eaſy among a few whom he loved, his indolence could not bear the fatigue of rendering himſelf agreeable to a mixed multitude. He was no leſs a ſtranger to that dignity with which Elizabeth tempered her familiarity. And, inſtead of that well-judged frugality with which ſhe conferred titles of honour, he beſtowed them with an undiſtinguiſhing profuſion, that rendered them no longer marks of diſtinction, or rewards of merit. But theſe were the reflections of the few alone; the multitude continued their acclamations; and, amidſt theſe, James entered London on the 7th of May, and took peaceable poſſeſſion of the throne of England. 1603.

Conclusion.

THUS were united two kingdoms, divided from the earlieſt accounts of time, but deſtined, by their ſituation, to form one great monarchy. By this junction of its whole native force, Great Britain hath riſen to an eminence and authority in Europe, which England and Scotland, while ſeparate, could never have attained.

THE

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1603. A view of the Revolutions in the conſtitution of Scotland ſince the acceſſion of James VI.

THE Scots had ſo long conſidered their monarchs as next heirs to the Engliſh throne, that they had full leiſure to reflect on all the conſequences of their being advanced to that dignity. But, dazzled with the glory of giving a ſovereign to their powerful enemy, relying on the partiality of their native prince, and in full expectation of ſharing liberally in the wealth and honours which he would now be able to beſtow, they attended little to the moſt obvious conſequences of that great event, and rejoiced at his acceſſion to the throne of England, as if it had been no leſs beneficial to the kingdom, than honourable to the king. They ſoon had reaſon, however, to adopt very different ſentiments; and from that period we may date a total alteration in the political conſtitution of Scotland.

THE feudal ariſtocracy, which had been ſubverted in moſt nations of Europe by the policy of their princes, or had been undermined by the progreſs of commerce, ſtill ſubſiſted with full force in Scotland. Many cauſes had contributed gradually to augment the power of the Scottiſh nobles; and even the Reformation, which, in every other country where it prevailed, added to the authority of the monarch, had increaſed their wealth and influence. A king poſſeſſed of a ſmall revenue, with a prerogative extremely limited, and unſupported by a ſtanding army, could not exerciſe much authority over ſuch potent ſubjects. He was obliged to govern by expedients; and the laws derived their force not from his power to execute them, but from the voluntary ſubmiſ-

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ſion of the nobles. But though this produced a ſpecies of government extremely feeble and irregular; though Scotland, under the name, and with all the outward enſigns, of a monarchy, was really ſubject to an ariſtocacy, the people were not altogether unhappy; and, even in this wild form of a conſtitution, there were principles, which tended to their ſecurity and advantage. The king, checked and overawed by the nobles, durſt venture upon no act of arbitrary power. The nobles, jealous of the king, whoſe claims and pretenſions were many, though his power was ſmall, were afraid of irritating their dependants by unreaſonable exactions, and tempered the rigour of ariſtocratical tyranny, with a mildneſs and equality to which it is naturally a ſtranger. As long as the military genius of the feudal government remained in vigour, the vaſſals both of the crown and of the barons were generally not only free from oppreſſion, but were courted by their ſuperiors, whoſe power and importance were founded on their attachment and love.

But, by his acceſſion to the throne of England, James acquired ſuch an immenſe acceſſion of wealth, of power, and of ſplendour, that the nobles, aſtoniſhed and intimidated, thought it vain to ſtruggle for privileges which they were now unable to defend. Nor was it from fear alone that they ſubmitted to the yoke; James, partial to his countrymen, and willing that they ſhould partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their

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their fierce and independent ſpirits. The will of the prince became the ſupreme law in Scotland; and the nobles ſtrove, with emulation, who ſhould moſt implicitly obey commands which they had formerly been accuſtomed to contemn. Satisfied with having ſubjected the nobles to the crown, the king left them in full poſſeſſion of their ancient juriſdiction over their own vaſſals. The extenſive rights, veſted in a feudal chief, became in their hands dreadful inſtruments of oppreſſion, and the military ideas, on which theſe rights were founded, being gradually loſt or diſregarded, nothing remained to correct or to mitigate the rigour with which they were exerciſed. The nobles, exhauſting their fortunes by the expence of frequent attendance upon the Engliſh court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durſt hardly utter complaints which they knew would never reach the ear of their ſovereign, nor move him to grant them any redreſs. From the union of the crowns to the revolution in 1688, Scotland was placed in a political ſituation, of all others the moſt ſingular and the moſt unhappy; ſubjected at once to the abſolute will of a monarch, and to the oppreſſive juriſdiction of an ariſtocracy, it ſuffered all the miſeries peculiar to both theſe forms of government. Its kings were deſpotic; its nobles were ſlaves and tyrants; and the people groaned under the rigorous domination of both.

DURING this period, the nobles, it is true, made one effort to ſhake off the yoke, and to regain their ancient

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ancient independency. After the death of James, the Scottiſh nation was no longer viewed by our monarchs with any partial affection. Charles I. educated among the Engliſh, diſcovered no peculiar attachment to the kingdom of which he was a native. The nobles, perceiving the ſceptre to be now in hands leſs friendly, and ſwayed by a prince with whom they had little connexion, and over whoſe councils they had little influence, no longer ſubmitted with the ſame implicit obedience. Provoked by ſome encroachments of the king on their order, and apprehenſive of others, the remains of their ancient ſpirit began to appear. They complained and remonſtrated. The people being, at the ſame time, violently diſguſted at the innovations in religion, the nobles ſecretly heightened this diſguſt; and their artifices, together with the ill-conduct of the court, raiſed ſuch a ſpirit, that the whole nation took arms againſt their ſovereign, with an union and animoſity of which there had formerly been no example. Charles brought againſt them the forces of England, and, notwithſtanding their own union, and the zeal of the people, the nobles muſt have ſunk in the ſtruggle. But the diſaffection which was growing among his Engliſh ſubjects, prevented the king from acting with vigour. A civil war broke out in both kingdoms; and after many battles and revolutions, which are well known, the Scottiſh nobles, who firſt began the war, were involved in the ſame ruin with the throne. At the reſtoration, Charles II. regained full poſſeſſion of the royal prerogative in Scotland;

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land; and the nobles, whoſe eſtates were waſted, or their ſpirit broken, by the calamities to which they had been expoſed, were leſs able and leſs willing than ever to reſiſt the power of the crown. During his reign, and that of James VII. the dictates of the monarch were received in Scotland with moſt abject ſubmiſſion. The poverty to which many of the nobles were reduced, rendered them meaner ſlaves, and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to thoſe adopted by their princes.

THE revolution introduced other maxims into the government of Scotland. To increaſe the authority of the prince, or to ſecure the privileges of the nobles, had hitherto been almoſt the ſole object of our laws. The rights of the people were hardly ever mentioned, were diſregarded, or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were ſecured; and the number of their repreſentatives being increaſed, they gradually acquired new weight and conſideration in parliament. As they came to enjoy more ſecurity and greater power, their minds began to open, and to form more extenſive plans of commerce, of induſtry, and of police. But the ariſtocratical ſpirit, which ſtill predominated, together with many other accidents, retarded the improvement and happineſs of the nation.

ANOTHER

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ANOTHER great event completed what the revolution had begun. The political power of the nobles, already broken by the union of the two crowns, was almoſt annihilated by the union of the two kingdoms. Inſtead of making a part, as formerly, of the ſupreme aſſembly of the nation, inſtead of bearing the moſt conſiderable ſway there, the Peers of Scotland are admitted into the Britiſh parliament by their repreſentatives only, and form but an inconſiderable part of one of thoſe bodies in which the legiſlative authority is veſted. They themſelves are excluded abſolutely from the houſe of commons, and even their eldeſt ſons are not permitted to repreſent their countrymen in that auguſt aſſembly. Nor have their feudal privileges remained, to compenſate for this extinction of their political authority. As commerce advanced in its progreſs, and government attained nearer to perfection, theſe were inſenſibly circumſcribed, and at laſt, by laws no leſs ſalutary to the public than fatal to the nobles, they have been almoſt totally aboliſhed. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens, to which they were formerly ſubject, ſcreened from oppreſſion, to which they had been long expoſed, and adopted into a conſtitution, whoſe genius and laws were more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegancies of life, and cultivated the arts and ſciences.

THIS ſurvey of the political ſtate of Scotland, in which events and their cauſes have been mentioned

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tioned rather than developed, enables us to point out three æras, from each of which we may date ſome great alteration in one or other of the three different members of which the ſupreme legiſlative aſſembly in our conſtitution is compoſed. At their *acceſſion* to the throne of England, the kings of Scotland, once the moſt limited, became, in an inſtant, the moſt abſolute princes in Europe, and exerciſed a deſpotic authority, which their parliaments were unable to controul, or their nobles to reſiſt. At the *union* of the two kingdoms, the feudal ariſtocracy, which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles having ſurrendered rights and pre-eminences peculiar to their order, reduced themſelves to a condition which is no longer the terror and envy of other ſubjects. *Since the union*, the commons, anciently neglected by their kings, and ſeldom courted by the nobles, have emerged into dignity; and, being admitted to a participation of all the privileges which the Engliſh had purchaſed at the expence of ſo much blood, muſt now be deemed a body not leſs conſiderable in the one kingdom, than they have long been in the other.

THE church felt the effects of the abſolute power which the king acquired by his acceſſion; and its revolutions, too, are worthy of notice. James, during the latter years of his adminiſtration in Scotland, had revived the name and office of biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence; their revenues were inconſiderable, and

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and they were ſcarcely diſtinguiſhed by any thing but by their ſeat in parliament, and by being the object of the clergy's jealouſy, and the people's hatred. The king, delighted with the ſplendour and authority which the Engliſh biſhops enjoyed, and eager to effect an union in the eccleſiaſtical policy, which he had, in vain, attempted in the civil government of the two kingdoms, reſolved to bring both churches to an exact conformity with each other. Three Scotſmen were conſecrated biſhops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were impoſed; and though the clergy, leſs obſequious than the nobles, boldly oppoſed theſe innovations, James, long practiſed and well-ſkilled in the arts of managing them, obtained at length their compliance. But Charles I. a ſuperſtitious prince, unacquainted with the genius of the Scots, imprudent and precipitant in all the meaſures he purſued in that kingdom, preſſing too eagerly the reception of the Engliſh liturgy, and indiſcreetly attempting a reſumption of church lands, kindled the flames of civil law; and the people being left at liberty to indulge their own wiſhes, the epiſcopal church was overturned, and the preſbyterian government and diſcipline were reeſtabliſhed with new vigour. Together with monarchy, epiſcopacy was reſtored in Scotland. A form of government, ſo odious to the people, required force to uphold it; and though not only the whole rigour of authority, but all the barbarity of perſecution, were employed in its ſupport, the averſion of the nation was inſurmountable, and it ſub-

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sisted with difficulty. At the revolution, the inclinations of the people were thought worthy the attention of the legislature, the presbyterian government was again established, and, being ratified by the union, is still maintained in the kingdom.

Nor did the influence of the accession extend to the civil and ecclesiastical constitutions alone; the genius of the nation, its taste and spirit, things of a nature still more delicate, were sensibly affected by that event. When learning revived in the fifteenth and sixteenth centuries, all the modern languages were in a state extremely barbarous, devoid of elegance, of vigour, and even of perspicuity. No author thought of writing in languages so ill adapted to express and embellish his sentiments, or of erecting a work for immortality with such rude and perishable materials. As the spirit, which prevailed at that time, did not owe its rise to any original effort of the human mind, but was excited chiefly by admiration of the ancients, which began then to be studied with attention in every part of Europe, their compositions were deemed not only the standards of taste and of sentiment, but of style; and even the languages in which they wrote were thought to be peculiar, and almost consecrated to learning and the muses. Not only the manner of the ancients was imitated, but their language was adopted: and, extravagant as the attempt may appear to write in a dead tongue, in which men were not accustomed to think, and which they could not speak, or even pronounce, the success of it was astonishing. As they

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they formed their ſtyle upon the pureſt models; as they were uninfected with thoſe barbariſms, which the inaccuracy of familiar converſation, the affectation of courts, intercourſe with ſtrangers, and a thouſand other cauſes, introduce into living languages; many moderns have attained to a degree of elegance in their Latin compoſitions, which the Romans themſelves ſcarce poſſeſſed beyond the limits of the Auguſtan age. While this was almoſt the only ſpecies of compoſition, and all authors, by uſing one common language could be brought to a nearer compariſon, the Scottiſh writers were not inferior to thoſe of any other nation. The happy genius of Buchanan, equally formed to excel in proſe and in verſe, more various, more original, and more elegant, than that of almoſt any other modern who writes in Latin, reflects, with regard to this particular, the greateſt luſtre on his country.

But the labour attending the ſtudy of a dead tongue was irkſome; the unequal return for their induſtry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying; and men, inſtead of waſting half their lives in learning the language of the Romans, began to refine and to poliſh their own. The modern tongues were found to be ſuſceptible of beauties and graces, which, if not equal to thoſe of the ancient ones, were at leaſt more attainable. The Italians having firſt ſet the example, Latin was no longer uſed in works of taſte; it was confined to books of ſcience; and the politer nations have

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baniſhed it even from theſe. The Scots, we may preſume, would have had no cauſe to regret this change in the public taſte, and would ſtill have been able to maintain ſome equality with other nations, in their purſuit of literary honour. The Engliſh and Scottiſh languages, derived from the ſame ſources, were, at the end of the ſixteenth century, in a ſtate nearly ſimilar, differing from one another ſomewhat in orthography, though not only the words, but the idioms, were much the ſame. The letters of ſeveral Scottiſh ſtateſmen of that age are not inferior in elegance, or in purity, to thoſe of the Engliſh miniſters with whom they correſponded. James himſelf was maſter of a ſtyle far from contemptible; and by his example and encouragement, the Scottiſh language might have kept pace with the Engliſh in refinement. Scotland might have had a ſeries of authors in its own, as well as in the Latin language to boaſt of; and the improvements in taſte, in the arts, and in the ſciences, which ſpread over the other poliſhed nations of Europe, would not have been unknown there.

BUT, at the very time when other nations were beginning to drop the uſe of Latin in works of taſte, and to make trial of the ſtrength and compaſs of their own languages, Scotland ceaſed to be a kingdom. The tranſports of joy, which the acceſſion at firſt occaſioned, were ſoon over: and the Scots, being at once deprived of all the objects that refine or animate a people; of the preſence of their prince, of the concourſe of nobles, of the ſplendour and elegance of a court, an univerſal

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univerſal dejection of ſpirit ſeems to have ſeized the nation. The court being withdrawn, no domeſtic ſtandard of propriety and correctneſs of ſpeech remained; the few compoſitions that Scotland produced were tried by the Engliſh ſtandard, and every word or phraſe that varied in the leaſt from that, was condemned as barbarous; whereas, if the two nations had continued diſtinct, each might have retained idioms and forms of ſpeech peculiar to itſelf; and theſe, rendered faſhionable by the example of a court, and ſupported by the authority of writers of reputation, might have been viewed in the ſame light with the varieties occaſioned by the different dialects in the Greek tongue; they even might have been conſidered as beauties; and, in many caſes, might have been uſed promiſcuouſly by the authors of both nations. But, by the acceſſion, the Engliſh naturally became the ſole judges and lawgivers in language, and rejected as ſoleciſms, every form of ſpeech to which their ear was not accuſtomed. Nor did the Scots, while the intercourſe between the two nations was inconſiderable[n], and ancient prejudices

[n] A remarkable proof of the little intercourſe between the Engliſh and Scots before the union of the crowns, is to be found in two curious papers, one publiſhed by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the biſhop of London to take a ſurvey of all the ſtrangers within the cities of London and Weſtminſter. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A ſurvey of the ſame kind was made by Sir Thomas Row, lord mayor, A. D. 1568. The number of Scots had then increaſed to 88. Strype, iv. Supplement, No. I. On the acceſſion of

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prejudices were ſtill ſo violent as to prevent imitation, poſſeſs the means of refining their own tongue according to the purity of the Engliſh ſtandard. On the contrary, new corruptions flowed into it from every different ſource. The clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not ariſe many authors among them, yet being in poſſeſſion of the privilege of diſcourſing publicly to the people, and their ſermons being too long, and perhaps too frequent, ſuch haſty productions could not be elegant, and many ſlovenly and incorrect modes of expreſſion may be traced back to that original. The pleadings of lawyers were equally looſe and inaccurate, and that profeſſion having furniſhed more authors, and the matters of which they treat mingling daily in common diſcourſe and buſineſs, many of thoſe vicious forms of ſpeech, which are denominated *Scotticiſms*, have been introduced by them into the language. Nor did either the language or public taſte receive any improvement in parliament, where a more liberal and more correct eloquence might have been expected. All buſineſs was tranſacted there by the lords of articles, and they were ſo ſervilely devoted to the court, that few debates aroſe, and, prior to the revolution, none were conducted with the ſpirit and vigour natural to a popular aſſembly.

James, a conſiderable number of Scots, eſpecially of the higher rank, reſorted to England; but it was not till the union that the intercourſe between the two kingdoms became great.

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THUS, during the whole ſeventeenth century, the Engliſh were gradually refining their language and their taſte; in Scotland the former was much debaſed, and the latter almoſt entirely loſt. In the beginning of that period, both nations were emerging out of barbarity; but the diſtance between them, which was then inconſiderable, became, before the end of it, immenſe. Even after ſcience had once dawned upon them, the Scots ſeemed to be ſinking back into ignorance and obſcurity; and active and intelligent as they naturally are, they continued, while other nations were eager in the purſuit of fame and knowledge, in a ſtate of languor. This, however, muſt be imputed to the unhappineſs of their political ſituation, not to any defect of genius; for no ſooner was the one removed in any degree, than the other began to diſplay itſelf. The act aboliſhing the power of the lords of articles, and other ſalutary laws paſſed at the revolution, having introduced freedom of debate into the Scottiſh parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is ſufficient to ſhew that the Scots were ſtill capable of generous ſentiments, and, notwithſtanding ſome peculiar idioms, were able to expreſs themſelves with energy, and with elegance.

AT length the union having incorporated the two nations, and rendered them one people, the diſtinctions which had ſubſiſted for many ages gradually wear away; peculiarities diſappear; the ſame manners prevail in both parts of the iſland;

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BOOK VIII.

the ſame authors are read and admired; the ſame entertainments are frequented by the elegant and polite; and the ſame ſtandard of taſte, and of purity in language, is eſtabliſhed. The Scots, after being placed, during a whole century, in a ſituation no leſs fatal to the liberty than to the taſte and genius of the nation, were at once put in poſſeſſion of privileges more valuable than thoſe which their anceſtors had formerly enjoyed; and every obſtruction that had retarded their purſuit, or prevented their acquiſition of literary fame, was totally removed.

A CRI-

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A CRITICAL

DISSERTATION

CONCERNING

The Murder of King HENRY, and the Genuineneſs of the Queen's Letters to Bothwell.

IT is not my intention to engage in all the controverſies to which the murder of king Henry, or the letters from queen Mary to Bothwell, have given riſe; far leſs to appear as an adverſary to any particular author, who hath treated of them. To repeat, and to expoſe all the ill-founded aſſertions with regard to theſe points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from diſhoneſty, would be no leſs irkſome to myſelf, than unacceptable to moſt of my readers. All I propoſe, is to aſſiſt others in forming ſome judgment concerning the facts in diſpute, by ſtating the proofs produced on each ſide, with as much brevity as the caſe will admit, and with the ſame attention and impartiality which I have endeavoured to exerciſe in examining other controverted points in the Scottiſh hiſtory.

IN order to account for the king's murder, two different ſyſtems have been formed. The one ſuppoſes Bothwell to have contrived and executed this

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this crime. The other imputes it to the earls of Murray, Morton, and their party.

THE deciſion of many controverted facts in hiſtory, is a matter rather of curioſity than of uſe. They ſtand detached; and whatever we determine with regard to them, the fabric of the ſtory remains untouched. But the fact under diſpute in this place is a fundamental and eſſential one, and according to the opinion which an hiſtorian adopts with regard to it, he muſt vary and diſpoſe the whole of his ſubſequent narration. An hiſtorical ſyſtem may be tried in two different ways, whether it be conſiſtent with probability, and whether it be ſupported by proper evidence.

THOSE who charge the king's murder upon Bothwell, argue in the following manner; and, though their reaſonings have been mentioned already in different parts of the narrative, it is neceſſary to repeat them here. Mary's love for Darnly, ſay they, was a ſudden and youthful paſſion. The beauty of his perſon, ſet off by ſome external frivolous accompliſhments, was his chief merit, and gained her affections. His capricious temper ſoon raiſed in the queen a diſguſt, which broke out on different occaſions. His engaging in the conſpiracy againſt Rizio, converted this diſguſt into an antipathy, which ſhe was at no pains to conceal. This breach was, perhaps, in its own nature, irreparable; the king certainly wanted that art and condeſcenſion which alone could have repaired it. It widened every day, and a deep and ſettled hatred effaced all remains of affection. Bothwell obſerved this, and was prompted by ambition,

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bition, and perhaps by love, to found upon it a ſcheme, which proved fatal both to the queen and to himſelf. He had ſerved Mary at different times with fidelity and ſucceſs. He inſinuated himſelf into her favour, by addreſs and by flattery. By degrees he gained her heart. In order to gratify his love, or at leaſt his ambition, it was neceſſary to get rid of the king. Mary had rejected the propoſal which, it is ſaid, had been made to her for obtaining a divorce. The king was equally hated by the partiſans of the houſe of Hamilton, a conſiderable party in the kingdom; by Murray, one of the moſt powerful and popular perſons in his country; by Morton and his aſſociates, whom he had deceived, and whom Bothwell had bound to his intereſt by a recent favour. Among the people Darnly was fallen under extreme contempt. Bothwell might expect, for all theſe reaſons, that the murder of the king would paſs without any inquiry, and might truſt to Mary's love, and to his own addreſs and good fortune, for the accompliſhment of the reſt of his wiſhes. What Bothwell expected really came to paſs. Mary, if not privy herſelf to the deſign, connived at an action which rid her of a man whom ſhe had ſuch good reaſon to deteſt. A few months after the murder of her huſband, ſhe married the perſon who was both ſuſpected and accuſed of having perpetrated that odious crime.

Those who charge the guilt upon Murray and his party reaſon in this manner: Murray, they ſay, was a man of boundleſs ambition. Notwithſtanding the illegitimacy of his birth, he had early formed

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formed a design of usurping the crown. On the queen's return into Scotland, he insinuated himself into her favour, and engrossed the whole power into his own hands. He set himself against every proposal of marriage which was made to her, lest his own chance of succeeding to the crown should be destroyed. He hated Darnly, and was no less hated by him. In order to be revenged on him, he entered into a sudden friendship with Bothwell, his ancient and mortal enemy. He encouraged him to assassinate Henry, by giving him hopes of marrying the queen. All this was done with a design to throw upon the queen herself the imputation of being accessary to the murder, and, under that pretext, to destroy Bothwell, to depose and imprison her, and to seize the sceptre which he had wrested out of her hands.

The former of these systems has an air of probability, is consistent with itself, and solves appearances. In the latter, some assertions are false, some links are wanting in the chain, and effects appear, of which no sufficient cause is produced. Murray, on the queen's return into Scotland, served her with great fidelity, and by his prudent administration rendered her so popular, and so powerful, as enabled her with ease to quash a formidable insurrection raised by the party of which he was the leader in the year 1565. What motive could induce Murray to murder a prince without capacity, without followers, without influence over the nobles, whom the queen, by her neglect, had reduced to the lowest state of contempt, and who, after a long disgrace, had regained (according to the

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the moſt favourable ſuppoſition) the precarious poſſeſſion of her favour only a few days before his death? It is difficult to conceive what Murray had to fear from the king's life. It is ſtill a more difficult matter to gueſs what he could gain by his death. If we ſuppoſe that the queen had no previous attachment to Bothwell, nothing can appear more chimerical than a ſcheme to perſuade her to marry a man, whoſe wife was ſtill alive, and who was not only ſuſpected, but accuſed, of murdering her former huſband. But that ſuch a ſcheme ſhould really ſucceed is ſtill more extraordinary.—If Murray had inſtigated Bothwell to commit the crime, or had himſelf been acceſſary to the commiſſion of it, what hopes were there that Bothwell would ſilently bear from a fellow-criminal all the proſecutions which he ſuffered, without ever retorting upon him the accuſation, or revealing the whole ſcene of iniquity? An ancient and deadly feud had ſubſiſted between Murray and Bothwell; the queen with difficulty had brought them to ſome terms of agreement. But, is it probable, that Murray would chuſe an enemy, to whom he had been ſo lately reconciled, for his confident in the commiſſion of ſuch an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wiſe man, firſt to raiſe his rival to ſupreme power, in hopes that afterwards he might render him odious, by accuſing him of crimes which he had not committed, and, in conſequence of this unjuſt charge, ſhould be enabled to deprive him of that power? The moſt adventurous politician never hazarded ſuch a dangerous

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gerous experiment. The moſt credulous folly never truſted ſuch an uncertain chance.

How ſtrong ſoever theſe general reaſonings may appear to be, it is not upon them alone that we muſt decide, but according to the particular evidence that is produced. This we now proceed to examine.

THAT Bothwell was guilty of the king's murder, appears, 1. From the concurring teſtimony of all the contemporary hiſtorians. 2. From the confeſſion of thoſe perſons who ſuffered for aſſiſting at the commiſſion of the crime, and who entered into a minute detail of all its circumſtances. Anderſ. ii. 165. 3. From the acknowledgment of Mary's own commiſſioners, who allow Bothwell to have been one of thoſe who were guilty of this crime. Good. ii. 213. 4. From the expreſs teſtimony of Leſly, biſhop of Roſs, to the ſame effect with the former. Def. of Q. Mary's Hon. And. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had ſolicited him, at different times, to concur in the conſpiracy formed againſt the life of the king; and that he was informed by Archibald Douglas, one of the conſpirators, that Bothwell was preſent at the murder. Crawf. Mem. App. 4. The letter from Douglas to the queen, which I have publiſhed in the Appendix to Vol. III. No. XLVII. confirms Morton's teſtimony. 6. Lord Herries promiſes, in his own name, and in the name of the nobles who adhered to the queen, that they would concur in puniſhing Bothwell as the murderer of the king. Append. Vol. II. No. XXIV.

THE

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THE moſt direct charge ever brought againſt Murray is in theſe words of biſhop Leſly: "Is "it unknown," addreſſing himſelf to the earl of Murray, "what the lord Herries ſaid to your "face openly, even at your own table, a few "days after the murder was committed? Did he "not charge you with the foreknowledge of the "ſame murder? Did he not, *nulla circutione uſus*, "flatly and plainly burden you, that riding in "Fife, and coming with one of your moſt aſſured "and truſty ſervants the ſame day whereon you "departed from Edinburgh, ſaid to him, among "other talk, This night, ere morning, lord "Darnly ſhall loſe his life?". Defence of Q. Mary, Anderſ. ii. 75. But the aſſertion of a man ſo heated with faction as Leſly, unleſs it were ſupported by proper evidence, is of little weight. The ſervant to whom Murray is ſaid to have ſpoken theſe words, is not named; nor the manner in which this ſecret converſation was brought to light mentioned. Lord Herries was one of the moſt zealous advocates for Mary, and it is remarkable that, in all his negociation at the court of England, he never once repeated this accuſation of Murray. In anſwering the challenge given him by lord Lindſay, Herries had a fair opportunity of mentioning Murray's knowledge of the murder; but, though he openly accuſes of that crime ſome of thoſe who adhered to Murray, he induſtriouſly avoids any inſinuation againſt Murray himſelf. Keith, Pref. xii. Mary herſelf, in converſation with ſir Francis Knolles, accuſed Morton and Maitland of being privy to the murder,

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der, but does not mention Murray. And. iv. 55. When the biſhop of Roſs and lord Herries appeared before the Engliſh council, January 11, 1569, they declared themſelves ready, in obedience to the queen's command, to accuſe Murray and his aſſociates of being acceſſary to the murder, but "they being alſo required, whether "they, or any of them, as of themſelves, would "accuſe the ſaid earl in ſpecial, or any of his ad-"herents, or thought them guilty thereof," they anſwered, "that they took God to witneſs that "none of them did ever know any thing of the "conſpiracy of that murder, or were in coun-"cil and foreknowledge thereof; neither who "were deviſors, inventors, and executors of the "ſame, till it was publicly diſcovered long there-"after by ſome of the aſſaſſins, who ſuffered "death on that account." Good. ii. 308. Theſe words are taken out of a regiſter kept by Roſs and Herries themſelves, and ſeem to be a direct confutation of the biſhop's aſſertion.

THE earls of Huntly and Argyll, in their *Proteſtation touching the Murder of the King of Scots*, after mentioning the conference at Craigmillar concerning a divorce, add, "So after theſe pre-"miſſes, the murder of the king following, we "judge in our conſciences, and hold for certain "and truth, that the earl of Murray and ſecre-"tary Lethington were authors, inventors, coun-"ſellors, and cauſers of the ſame murder, in what "manner, or by whatſoever perſons the ſame "was executed." Anderſ. iv. 188. But, 1. This is nothing more than the private opinion

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or perſonal affirmation of theſe two noblemen. 2. The concluſion which they make has no connection with the premiſes on which they found it. Becauſe Murray propoſed to obtain for the queen a divorce from her huſband with her own conſent, it does not follow that therefore he committed the murder without her knowledge. 3. Huntly and Argyll were at that time the leaders of that party oppoſite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's perſonal enemies. Huntly, on account of the treatment which his family and clan had received from that nobleman. Argyll was deſirous of being divorced from his wife, with whom he lived on no good terms, Knox, 328. and by whom he had no children. Crawf. Peer. 19. She was Murray's ſiſter, and by his intereſt Argyll's deſign was obſtructed. Keith, 551. Theſe circumſtances would go far towards invalidating a poſitive teſtimony; they more than counterbalance an indeterminate ſuſpicion. 5. It is altogether uncertain whether Huntly and Argyll ever ſubſcribed this proteſtation. A copy of ſuch a proteſtation as the queen thought would be of advantage to her cauſe, was tranſmitted to them by her. Anderſ. iv. b. ii. 186. The proteſtation itſelf, publiſhed by Anderſon, is taken from an unſubſcribed copy with blanks for the date and place of ſubſcribing. On the back of this copy, there is paſted, indeed, a paper, which Cecil has marked "Anſwer of the earl of Murray "to a writing of the earls of Huntly and Argyll." Anderſ. 194, 195. But it can hardly be deemed a reply to the above-mentioned proteſtation. Mur-

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ray's anſwer bears date at London, January 19, 1568. The queen's letter, in which ſhe incloſed the copy of the proteſtation, bears date at Bowton, Jan. 5, 1568. Now it is ſcarce to be ſuppoſed that the copy could be ſent into Scotland, be ſubſcribed by the two earls, and be ſeen and anſwered by Murray within ſo ſhort a time. Murray's reply ſeems intended only to prevent the impreſſion which the vague and uncertain accuſations of his enemies might make in his abſence. Cecil had got the original of the queen's letter into his cuſtody. Anderſ. iv. 185. This naturally leads us to conjecture that the letter itſelf, together with the incloſed proteſtation, were intercepted before they came to the hands of Huntly and Argyll. Nor is this mere conjecture alone. The letter to Huntly, in which the proteſtation was incloſed, is to be found; Cott. Lib. Cal. C. 1. fol. 280, and is an original ſubſcribed by Mary, though not written by her own hand, becauſe ſhe ſeldom choſe to write in the Engliſh language. The proteſtation is in the ſame volume, fol. 282, and is manifeſtly written by the ſame perſon who wrote the queen's letter. This ſeems to render it highly probable that both were intercepted. So that much has been founded on a paper not ſubſcribed by the two earls, and probably never ſeen by them. Beſides, this method which the queen took of ſending a copy to the two earls, of what was proper for them to declare with regard to a conference held in their own preſence, appears ſomewhat ſuſpicious. It would have been more natural, and not ſo liable

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to any misinterpretation, to have desired them to write the most exact account, which they could recollect, of what had passed at the conversation at Craigmillar. 6. But even if all this reasoning should be set aside, and the authenticity of the *protestation* should be admitted in its full extent, it may still be a question, what degree of credit should be given to the assertion of the two earls, who were not only present in the first parliament, held by Murray as regent in December 1567, in which the one carried the sceptre, and the other the sword of state, Spotsw. 214. but were both members of the committee of lords of articles, and in that capacity assisted in framing all the acts by which the queen was deprived of the crown, and her son seated on the throne; and in particular concurred in the act by which it was declared, that whatever had befallen the queen, "was in her awin default, in sa far as, be divers hir previe letters written halelie with hir awin hand, and send by hir to James sometyme earle of Bothwell, cheif executour of the said horribill murthour, as weill befoir the committing thairof as thairaftir: And be hir ungodlie and dishonourabill proceeding to ane pretendit marriage with him, suddaindlie and unprovisitlie thaireftir, it is maist certane that sche was previe, airt and pairt, of the actual devise and deid of the foirnamit murthour of the king her lauchful husband, and thairfoir justlie desirvis quhatsumever hes bene done to hir in ony tyme bygaine, or that sal be usit towards hir, for the said cause." Anders. ii. 221.

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THE queen's commiſſioners at the *conferences* in England accuſed Murray and his aſſociates of having murdered the king. Good. ii. 281. But this charge is to be conſidered as a recrimination, extorted by the accuſation preferred againſt the queen, and contains nothing more than looſe and general affirmations, without deſcending to ſuch particular circumſtances as either aſcertain their truth, or diſcover their falſehood. The ſame accuſation is repeated by the nobles aſſembled at Dumbarton, Sept. 1568. Good. ii. 359. And the ſame obſervation may be made concerning it.

ALL the queen's advocates have endeavoured to account for Murray's murdering of the king, by ſuppoſing that it was done on purpoſe that he might have the pretence of diſturbing the queen's adminiſtration, and thereby rendering ineffectual her general revocation of crown lands, which would have deprived him and his aſſociates of the beſt part of their eſtates. Leſly Def. of Mary's Hon. p. 73. Anderſ. iv. part ii. 130. But whoever conſiders the limited powers of a Scottiſh monarch, will ſee that ſuch a revocation could not be very formidable to the nobles. Every king of Scotland began his reign with ſuch a revocation; and as often as it was renewed, the power of the nobles rendered it ineffectual. The beſt vindication of Murray and his party from this accuſation, is that which they preſented to the queen of England, and which hath never hitherto been publiſhed.

Anſwers

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Anſwers to the Objections and Alledgance of the Queen, alledging the Earl of Murray Lord Regent, the Earl of Morton, Mar, Glencairn, Hume, Ruthven, &c. to have been moved to armour, for that they abhorred and might not abide her Revocation of the Alienation made of her Property. Paper Office.

IT is anſwered, that is alledged but [i. e. without] all appearance, and it appears God has bereft the alledgance of all wit and good remembrance, for thir reaſons following:

IMPRIMIS, as to my lord regent, he never had occaſion to grudge thereat, in reſpect the queen made him privy to the ſame, and took reſolution with him for the execution thereof, letting his lordſhip know ſhe would aſſuredly in the ſamine except all things ſhe had given to him, and ratefy them in the next parliament as ſhe did indeed; and for that cauſe wiſhed my lord to leave behind him maſter John Wood, to attend upon the ſame, to whom ſhe declared, that als well in that as in all other her grants it ſhould be provided, yea of free will did promiſe and offer before ever he demanded, as it came to paſs without any let or impediment; for all was ratified by her command, and hand write, at the parliament, but [i. e. without] any difficulty.

ITEM as to my lord of Morton, he could not grudge thereat quha never had of her property worth twenty dollars that ever I knew of.

Item the ſame, may I ſay of my lord Glencairn.

Item the ſame, I may ſay of my lord Hume.

Item the ſame, I may ſay of my lord Ruthven.

Item the ſame, I may ſay of my lord Lindſay.

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ONLY my lord of Marr, had ane little thing of the property quilk alſua was gladly and liberally confirmed to him, in the ſaid parliament preceding a year; was never ane had any cauſe of miſcontent of that revocation, far leſs to have put their lives and heritage to ſo open and manifeſt ane danger as they did for ſic ane frivole cauſe.

GYF ever any did make evill countenance, and ſhow any miſcontentment of the ſaid revocation, it was my lord of Argyll in ſpecial, quha ſpak largely in the time of parliament thairanents to the queen herſelf, and did complain of the manifeſt corruption of ane act of parliament paſt upon her majeſty's return, and ſa did lett any revocation at that time; but the armour for revenge of the king's deid was not till twa months after, at quhat time there was no occaſion given thereof, nor never a man had mind thereof.

HAVING thus examined the evidence which has been produced againſt the earls of Murray and Bothwell; we ſhall next proceed to inquire whether the queen herſelf was acceſſory to the murder of her huſband.

No ſooner was the violent death of Darnly known, than ſtrong ſuſpicion aroſe, among ſome of her ſubjects, that Mary had given her conſent to the commiſſion of that crime. Anderſ. ii. 156. We are informed, by her own ambaſſador in France, the archbiſhop of Glaſgow, that the ſentiments of foreigners, on this head, were no leſs unfavourable to her. Keith, Pref. ix. Many of her

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her nobles loudly accuſed her of that crime, and a great part of the nation, by ſupporting them, ſeem to have allowed the accuſation to be well founded.

SOME crimes, however, are of ſuch a nature, that they hardly admit of a poſitive or direct proof. Deeds of darkneſs can ſeldom be brought perfectly to light. Where perſons are accuſed not of being *principals*, but only of being *acceſſaries* in the commiſſion of a crime; not of having perpetrated it themſelves, but only of giving conſent to the commiſſion of it by others; the proof becomes ſtill more difficult: and unleſs when ſome accomplice betrays the ſecret, a proof by circumſtances, or preſumptive evidence, is all that can be attained. Even in judicial trials, ſuch evidence is ſometimes held to be ſufficient for condemning criminals. The degree of conviction which ſuch evidence carries along with it, is often not inferior to that which ariſes from poſitive teſtimony; and a concurring ſeries of circumſtances ſatisfies the underſtanding no leſs than the expreſs declaration of witneſſes.

EVIDENCE of both theſe kinds has been produced againſt Mary. We ſhall firſt conſider that which is founded upon circumſtances alone.

SOME of theſe ſuſpicious circumſtances preceded the king's death; others were ſubſequent to it. With regard to the former, we may obſerve that the queen's violent love of Darnly was ſoon converted into an averſion to him no leſs violent; and that his own ill conduct and exceſſes of every kind, were ſuch, that if they did not juſtify, at leaſt

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they account for this ſudden change of her diſpoſition towards him. The riſe and progreſs of this domeſtic rupture, I have traced with great care in the hiſtory, and to the proofs of it which may be found in papers publiſhed by other authors, I have added thoſe contained in App. No. XVI. and XVII. Le Croc, the French ambaſſador, who was an eye-witneſs of what he deſcribes, not only repreſents her averſion to Darnly to be extreme, but declares that there could be no hopes of a reconcilement between them.

Dec. 12, 1566. "The queen is in the hands of phyſicians, and I do aſſure you is not at all well; and do believe the principal part of her diſeaſe to conſiſt in deep grief and ſorrow; nor does it ſeem poſſible to make her forget the ſame. Still ſhe repeats theſe words, *I could wiſh to be dead.* You know very well that the injury ſhe has received is exceeding great, and her majeſty will never forget it—To ſpeak my mind freely to you, I do not expect, upon ſeveral accounts, any good underſtanding between them [i. e. the king and queen], unDec. 23. leſs God effectually put to his hand.—His bad deportment is incurable; nor can there ever be any good expected from him, for ſeveral reaſons, which I might tell you was I preſent with you. I cannot pretend to foretel how all may turn, but I will ſay, that matters cannot ſubſiſt long as they are, without being accompanied with ſundry bad conſequences." Keith, Pref. vii. Had Henry died a natural death at this juncture, it muſt have been conſidered as a very fortunate event to the queen, and as a ſeaſonable deliverance from a huſband

husband who had become altogether odious to her. Now as Henry was murdered a few weeks afterwards, and as nothing had happened to render the queen's aversion to him less violent, the opinion of those who consider Mary as the author of an event which was manifestly so agreeable to her, will appear perhaps to some of our readers to be neither unnatural nor over refined. If we add to this, what has been observed in the history, that in proportion to the increase of Mary's hatred of her husband, Bothwell seems to have made progress in her favour, and that he became the object not only of her confidence but her attachment, that opinion acquires new strength. It is easy to observe many advantages which might redound to Mary as well as to Bothwell from the king's death; but excepting them, no person, and no party in the kingdom, could derive the least benefit from that event. Bothwell, accordingly, murdered the king, and it was, in that age, thought no unwarranted imputation on Mary's character, to suppose that she had consented to the deed.

The steps which the queen took after her husband's death add strength to that supposition. 1. Melvil, who was in Edinburgh at the time of the king's death, asserts, that "every body suspected the earl of Bothwell; and those who durst speak freely to others, said plainly that it was he," p. 155. 2. Mary having issued a proclamation, on the 12th of February, offering a reward to any person who should discover those who had murdered her husband; And. i. 36. a paper in consequence of this was affixed to the gates of the Tolbooth,

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Tolbooth, February 16, in which Bothwell was named as the chief perſon guilty of that crime, and the queen herſelf was accuſed of having given her conſent to it. And. ii. 156. 3. Soon after, February 20, the Earl of Lennox, the king's father, wrote to Mary, conjuring her, by every motive, to proſecute the murderers with the utmoſt rigour. He plainly declared his own ſuſpicions of Bothwell, and pointed out a method of proceeding againſt him, and for diſcovering the authors of that crime, no leſs obvious than equitable. He adviſed her to ſeize, and to commit to ſure cuſtody, Bothwell himſelf, and ſuch as were already named as his accomplices; to call an aſſembly of the nobles; to iſſue a proclamation, inviting Bothwell's accuſers to appear; and if, on that encouragement, no perſon appeared to accuſe them, to hold them as innocent, and to diſmiſs them without farther trial. And. i. 40. 4. Archbiſhop Beatoun, her ambaſſador in France, in a letter to Mary, March 9th, employs arguments of the utmoſt weight to perſuade her to proſecute the murderers with the greateſt ſeverity. "I can conclude nathing (ſays he) by quhat zour majeſty writes to me zourſelf, that ſen it has pleſit God to conſerve zow to make a rigorous vengeance thereof, that rather than it be not actually taine, it appears to me better in this warld that ze had loſt life and all. I aſk your majeſtie pardon, that I writ ſa far, for I can heir nathing to zour prejudiſe, but I *man* conſtraindly writ the ſamin, that all may come to zour knawledge; for the better remede may be put therto. Heir it is needfull that ze forth ſhaw now rather than

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than ever of before, the greite vertue, magnanimitie, and conſtance that God has grantit zow, be quhais grace, I hope ze ſall overcome this moſt heavy envie and diſpleſir of the committing thereof, and conſerve that reputation in all godlineſs, ze have conquiſt of lang, quhich can appear na wayis mair clearie, than that zou do *ſick* juſtice *ſuch* that the *haill* world may declare zour innocence, *whole* and give teſtimony for ever of their treaſon that has committed (*but* fear of God or man) ſo cruel *without* and ungodly a murther, quhairof there is ſa *meikle* *muck* ill ſpoken, that I am conſtrainit to aſk zou mercy, that neither can I or will I make the rehearſal thereof, which is *owr* odious. But alas! madame, *too* all over Europe this day, there is na purpoſe in head ſa frequent as of zour majeſtie, and of the preſent ſtate of zour realm, quhilk is in the moſt part interpretit ſiniſterly." Keith, Pref. ix. 5. Elizabeth, as appears from Append. Vol. III. No. XIX. urged the ſame thing in ſtrong terms. 6. The circumſtances of the caſe itſelf, no leſs than theſe ſolicitations and remonſtrances, called for the utmoſt vigour in her proceedings. Her huſband had been murdered in a cruel manner, almoſt in her own preſence. Her ſubjects were filled with the utmoſt horror at the crime. Bothwell, one of her principal favourites, had been publicly accuſed as the author of it. Reflections, extremely diſhonourable to herſelf, had been thrown out. If indignation, and the love of juſtice, did not prompt her to purſue the murderers with ardour, decency, at leaſt, and concern for vindicating her own character,

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ter, ſhould have induced her to avoid any appearance of remiſſneſs or want of zeal.

But inſtead of this, Mary continued to diſcover, in all her actions, the utmoſt partiality towards Bothwell. On the 15th of February, five days after the murder, ſhe beſtowed on him the reverſion of the ſuperiority of the town of Leith, which, in the year 1565, ſhe had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great aſcendant over the citizens of Edinburgh, who wiſhed much to keep poſſeſſion of it[a]. 2. Bothwell being extremely

[a] *Copy from the original in the Charter houſe of the City of Edinburgh of an Aſſignation to the reverſion of the ſuperiority of Leith by queen Mary, to the earl of Bothwell.*

Maria Dei gratia Regina Scotorum, omnibus probis hominibus ſuis ad quos præſentes literæ pervenerint ſalutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele ſervitium, non tantum quondam noſtræ chariſſimæ matri Mariæ Reginæ regni noſtri pro tempore in noſtra minoritate factum et impenſum, verum etiam nobiſmet ipſis, tam intra partes Galliæ quam intra hoc noſtrum regnum, ad extentionem noſtri honoris et auctoritatis in punitione furum, malefactorum, et tranſgreſſorum infra idem, per noſtrum conſiſum conſanguineum et conſiliarium Jacobum comitem Bothuile, dominum Halis, Creighton, et Liddiſdale, magnum admirallum regni noſtri, commiſſionem et onerationem ad hunc effectum habentem, per quas ipſe ſuum corpus et vitam in magno periculo poſuit; ac etiam, in performatione et extentione noſtri dicti ſervitii, ſuam hereditatem, ſupra ſummam viginti millium mercarum hujus noſtri regni, alienavit ac læſit. Et nos cogitantes quod, ex noſtra principali honore et devoria dictum noſtrum conſiſum conſanguineum & conſiliarium cum quodam accidente et gratitudine recompenſare

extremely desirous to obtain the command of the castle of Edinburgh, the queen, in order to prevail on the earl of Mar to surrender the government of it, offered to commit the young prince to his custody. Mar consented; and she instantly appointed Bothwell governor of the castle. And. i. Pref. 64. Keith, 379. note (*d*). 3. The inquiry into the murder, previous to Bothwell's trial, seems to have been conducted with the utmost remissness. Buchanan exclaims loudly against this. And. ii. 24. Nor was it without reason that he did so, as is evident from a circumstance in the

pensare et gratificare incumbit quæ nos commodè sibi concedere poterimus, unde ipse magis habilis omnibus affuturis temporibus esse poterit, et ad hujusmodi performandum in omnibus casus seu eventibus: In recompensationem quorum præmissorum, ac pro diversis aliis nostris rationabilibus causis et considerationibus nos moventibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac suos hæredes masculos quoscumque nostros legitimos, &c. assignatos in et ad literas reversionis factas, &c. per Symonem Preston de eodem militem, præpositum, balivos, consules, et communitatem hujus nostri burgi de Edinburgh, pro seipsis ac suis successoribus, &c. nobis, nostrisque heredibus, successoribus, et assignatis pro redemptione, &c. superioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præposito, &c. sub reversione alienatæ continentis summam decem millium mercarum monetæ præscriptæ numerandum et calculandum in parochiali ecclesia de Edinburgh, super premonitione quadriginta dierum, ut moris est, veluti in dictis reversionis literis, &c. de data 8vo Octob. 1565, &c. (The rest is form, and contains a clause of absolute warrandice.) In cujus rei Testimonium præsentibus magnum sigillum nostrum apponi fecimus. Apud Edinburgh, decimo quinto die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo sexto, et regni nostri vicesimo quinto.

The great seal entire.

affidavit

affidavit of Thomas Nelſon, one of the king's ſervants, who was in the houſe when his maſter was murdered, and was dug up alive out of the rubbiſh. Being examined on the Monday after the king's death, "This deponar ſchew that Bonkle had the key of the cellare, and the queenis ſervandis the keys of her ſhalmir. Quhilk the laird of Tillibardin hearing, ſaid, Hald thair, here is ane ground. Efter quhilk words ſpokin, thai left of, and procedit na farther in the inquiſition." And. iv. p. 2. 167. Had there been any intention to ſearch into the bottom of the matter, a circumſtance of ſo much importance merited the moſt careful inquiry. 4. Notwithſtanding Lennox's repeated ſolicitations, notwithſtanding the reaſonableneſs of his demands, and the neceſſity of complying with them, in order to encourage any accuſer to appear againſt Bothwell, ſhe not only refuſed to commit him to cuſtody, or even to remove him from her preſence and councils; And. i. 42. 48. but by the grants which we have mentioned, and by other circumſtances, diſcovered an increaſe of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but ſhe permitted him to ſit as a member in that meeting of the privy council which directed his own trial; and the trial itſelf was carried on with ſuch unneceſſary precipitancy, and with ſo many other ſuſpicious circumſtances, as render his acquittal rather an argument of his guilt than a proof of his innocence. Theſe circumſtances have all been mentioned at length in Book IV. and therefore are not repeated in this place. 6. Two days after the trial,

Mary

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Mary gave a public proof of her regard for Bothwell, by appointing him to carry the ſceptre before her at the meeting of parliament. Keith, 378. 7. In that parliament, ſhe granted him a ratification of all the great poſſeſſions and honours which ſhe had conferred upon him, in which was contained an ample enumeration of all the ſervices he had performed. And. i. 117. 8. Though Melvil, who foreſaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, ſhe not only diſregarded this ſalutary admonition, but diſcovered what had paſſed between them to Bothwell, which expoſed Melvil to his reſentment. Melv. 156. 9. Bothwell ſeized Mary as ſhe returned from Stirling, April 24. If he had done this without her knowledge and conſent, ſuch an inſult could not have failed to have filled her with the moſt violent indignation. But according to the account of an old MS. "The friendly love was ſo highly contracted between this great princeſs and her enormous ſubject, that there was no end thereof, (for it was conſtantly eſteemed by all men, that either of them loved other carnally,) ſo that ſhe ſuffered patiently to be led where the lover liſt, and all the way neither made obſtacle, impediment, clamour, or reſiſtance, as in ſuch accidents uſe to be, or that ſhe might have done by her princely authority, being accompanied with the noble earl of Huntly and ſecretary Maitland of Lethington." Keith, 383. Melvil, who was preſent, confirms this account, and

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and tells us that the officer, by whom he was ſeized, informed him that nothing was done without the queen's conſent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that ſhe was then at full liberty, and that though Bothwell had offended her by ſeizing her perſon, ſhe was ſo much ſatisfied with his dutiful behaviour ſince that time, and ſo indebted to him for paſt ſervices, that ſhe not only forgave that offence, but reſolved to promote him to higher honours. And. i. 87. 11. Even after the confederate nobles had driven Bothwell from the queen's preſence, and though ſhe ſaw that he was conſidered as the murderer of her former huſband by ſo great a part of her ſubjects, her affection did not in the leaſt abate, and ſhe continued to expreſs the moſt unalterable attachment to him. "I can perceive (ſays Sir N. Throkmorton) that the rigour with which the queen is kept, proceedeth by order from theſe men, becauſe that the queen will not by any means be induced to lend her authority to proſecute the murderer; nor will not conſent by any perſuaſion to abandon the lord Bothwell for her huſband, but avoweth conſtantly that ſhe will live and die with him; and ſaith, that if it were put to her choice to relinquiſh her crown and kingdom, or the lord Bothwell, ſhe would leave her kingdom and dignity to go a ſimple damſel with him, and that ſhe will never conſent that he ſhall fare worſe, or have more harm than herſelf." Append. Vol. III. No. XXII. In all their negociations

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gociations with Throkmorton, the confederates mention this unalterable attachment of the queen to Bothwell, as a ſufficient reaſon for rejecting his propoſals of an accommodation with their ſovereign. Keith, 419. 449. This aſſertion they renewed in the conferences at York. Anderſ. iv. part ii. p. 66. Murray, in his interview with Mary in Lochlevin, charged her with perſiſting in her inordinate affection to Bothwell. Keith, 446. All theſe, however, may be conſidered merely as accuſations brought by the confederates, in order to vindicate their rigour towards the queen. But Throkmorton, who, by his reſidence in Edinburgh, and by his intercourſe with the queen's partiſans, as well as with her enemies, had many opportunities of diſcovering whether or not Mary had expreſſed herſelf in ſuch terms, and who was diſpoſed to view her actions in the moſt favourable light, appears, by the paſſage which I have quoted from his letter of the 14th of July, to be perſuaded that the confederates had not miſrepreſented her ſentiments. He had ſoon an opportunity of being confirmed with greater certainty in this opinion. Although the confederates had refuſed him acceſs to the captive queen, he found means of holding a ſecret correſpondence with her, and endeavoured to perſuade her to give her conſent to have her marriage with Bothwell diſſolved by a ſentence of divorce, as the moſt probable means of regaining her liberty. She hath ſent me word that ſhe will in no wiſe conſent unto that, but

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rather die. Appendix, Vol. III. No. XXII. There is evidence of the continuance of Mary's attachment ſtill more explicit. Lord Herries, in the parliament held the 15th of December 1567, acknowledged the queen's inordinate affection to that wicked man, and that ſhe could not be induced by perſuaſion to leave him; and that in ſequeſtering her within Lochlevin, the confederates had done the duty of noblemen. Appendix, Vol. III. No. XXIV. In the year 1571, a conference was held by ſome deputies from a convention of clergy, with the duke of Chatelherault, ſecretary Maitland, ſir James Balfour, and Kirkaldy; and an account of it written by Mr. Craig, one of the miniſters of Edinburgh, is extant in Calderwood MSS. Hiſt. ii. 244. In preſence of all theſe perſons, moſt of whom were in Edinburgh when the queen was taken at Carberry, Maitland, who was now an avowed partiſan of Mary, declares, that on the ſame night ſhe was brought to Edinburgh, he himſelf had offered, that if ſhe would abandon Bothwell, ſhe ſhould have as thankful obedience as ever ſhe had ſince ſhe came to Scotland. But in no wiſe would ſhe conſent to leave Bothwell. According to ſir James Melvil, the queen found means of writing a letter to Bothwell on the evening of that day, when ſhe was conducted as a priſoner to Edinburgh, in which ſhe declared her affection to him in the moſt tender expreſſions, and her reſolution never to abandon him. This letter, he ſays, was intercepted by the confederates,

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rates, and determined them to confine Mary in the caſtle of Lochlevin. But as neither Buchanan nor Knox, both abundantly diſpoſed to avail themſelves of every fact and report that could be employed in order to repreſent Mary's conduct as improper and criminal, mention this letter; and as the confederates themſelves, in their negociation with Throkmorton, as well as in their accuſations of the queen before the Engliſh commiſſioners at York and Weſtminſter, maintain the ſame ſilence with regard to it, I am ſatisfied that Melvil, who wrote his memoirs for the information of his ſon in his old age, and long after the events which he records happened, has been miſtaken with regard to this particular. From this long enumeration of circumſtances, we may, without violence, draw the following concluſion: Had Mary really been acceſſary to the murder of her huſband; had Bothwell perpetrated the crime with her conſent, or at her command; and had ſhe intended to ſtifle the evidence againſt him, and to prevent the diſcovery of his guilt, ſhe could ſcarcely have taken any other ſteps than thoſe which ſhe took, nor could her conduct have been more repugnant to all the maxims of prudence and of decency.

THE poſitive evidence produced againſt Mary may be claſſed under two heads.

1. THE depoſitions of ſome perſons who were employed in committing the murder, particularly of Nicholas Hubert, who, in the writings of that age, is called *French Paris*. This perſon, who was

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Bothwell's ſervant, and much truſted by him, was twice examined, and the original of one of his depoſitions, and a copy of the other, are ſtill extant. It is pretended that both theſe are notorious forgeries. But they are remarkable for a ſimplicity and *naïveté* which it is almoſt impoſſible to imitate; they abound with a number of minute facts and particularities, which the moſt dextrous forger could not have eaſily aſſembled and connected together with any appearance of probability; and they are filled with circumſtances, which can ſcarcely be ſuppoſed to have entered the imagination of any man but one of Paris's rank and character. But, at the ſame time, it muſt be acknowledged, that his depoſitions contain ſome improbable circumſtances. He ſeems to have been a fooliſh talkative fellow; the fear of death, the violence of torture, and the deſire of pleaſing thoſe in whoſe power he was, tempted him, perhaps, to feign ſome circumſtances, and to exaggerate others. To ſay that ſome circumſtances in an affidavit are improbable or falſe, is very different from ſaying that the whole is forged. I ſuſpect the former to be the caſe here; but I ſee no appearance of the latter. Be that as it will, ſome of the moſt material facts in Paris's affidavits reſt upon his ſingle teſtimony; and for that reaſon, I have not in the Hiſtory, nor ſhall I in this place, lay any ſtreſs upon them.

2. The letters ſaid to be written by Mary to Bothwell. Theſe have been frequently publiſhed. The accident by which the queen's enemies got them into their poſſeſſion, is related in Book. V.

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When the authenticity of any ancient paper is dubious or conteſted, it may be aſcertained either by external or internal evidence. Both theſe have been produced in the preſent caſe.

I. EXTERNAL proofs of the genuineneſs of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honour, that the letters were written with the queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were ſo far conſidered as genuine, that they are mentioned in the act againſt Mary, as one chief argument of her guilt. Good. ii. 66, 67. 3. They were ſhewn privately to the duke of Norfolk, the earl of Suſſex, and ſir Ralph Sadler, Elizabeth's commiſſioners at York. In the account which they gave of this matter to their miſtreſs, they ſeem to conſider the letters as genuine, and expreſs no ſuſpicion of any forgery; they particularly obſerve, "that the matter contained in them is ſuch, that it could hardly be invented and deviſed by any other than herſelf; for that they diſcourſe of ſome things, which were unknown to any other than to herſelf and Bothwell; and as it is hard to counterfeit ſo many, ſo the matter of them, and the manner how theſe men came by them, is ſuch, as it ſeemeth that God, in whoſe ſight murder and bloodſhed of the innocent is abominable, would not permit the ſame to be hid or concealed." Good. ii. 142. They ſeem to have made ſuch an impreſſion on the duke of Norfolk,

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that in a ſubſequent letter to Pembroke, Leiceſter, and Cecil, he has theſe words: "If the matter ſhall be thought as deteſtable and manifeſt to you, as for ought we can perceive it ſeemeth here to us." Good. ii. 154. Nor did Norfolk declare theſe to be his ſentiments only in public official letters, he expreſſed himſelf in the ſame manner to his moſt confidential friends. In a ſecret conference with the biſhop of Roſs at York, the duke informed him, that he had ſeen the letters, &c. which the regent had to produce againſt the queen, whereby there would be ſuch matter proved againſt her, as would diſhonour her for ever. State Trials, Edition of Hargrave, i. 91. Murdin, 52. The biſhop of Roſs, if he had known the letters to be a notorious forgery, muſt have been naturally led, in conſequence of this declaration, to undeceive the duke, and to expoſe the impoſture. But, inſtead of this, the duke, and he, and Lethington, after conſulting together, agreed, that the biſhop ſhould write to Mary, then at Bolton, and inſtruct her to make ſuch a propoſal to Elizabeth as might prevent the public production of the letters and other evidence. State Trials, i. 94. Murdin, 45. Indeed, the whole of this ſecret conference ſeems to imply, that Lethington, Roſs, and Norfolk, were conſcious of ſome defect in Mary's cauſe, and therefore exerted all their ingenuity in order to avoid a public accuſation. Murdin, 52, 53. To Baniſter, whom the duke ſeems to have truſted more entirely than any other of his ſervants, he expreſſed himſelf in ſimilar terms with reſpect to the queen of Scots. State Trials,

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Trials, i. 98. The words of Baniſter's evidence are remarkable: "I confeſs that I, waiting of my lord and maſter, when the earl of Suſſex and Mr. Chancellor of the dutchy that now is, were in commiſſion at York, did hear his grace ſay, that upon examination of the matter of the murder, it did appear that the queen of Scots was guilty and privy to the murder of lord Darnly, whereby I verily thought that his grace would never join in marriage with her." Murdin, 134. Elizabeth, in her inſtructions to the earl of Shrewſbury and Beale, in 1583, aſſerts, that both the duke and earl of Arundel did declare to herſelf, that the proof, by the view of her letters, did fall out ſufficient againſt the queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314. from Cot. Lib. Calig. 9. 4. A ſimilar impreſſion was made upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correſpondence with ſir Henry Norris, the Engliſh ambaſſador in France, relates this tranſaction in terms which leave no room to doubt with reſpect to his own private opinion. In his letter, Decem. 14th, 1568, the very day on which the letters, &c. were laid before the meeting of privy counſellors and peers, he informs him, "That the regent was driven, from his defence, to diſcloſe a full fardel of the naughty matter, tending to convince the queen as adviſer of the murther, and the earl of Bothwell as her executour; and now the

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queen's party, ſo great, refuſe to make any anſwer, and preſs that their miſtreſs may come in perſon to anſwer the matter herſelf, before the queen's majeſty, which is thought not fit to be granted until the great blot of the marriage with her huſband's murtherer, and the evident charges, by letters of her own, to be deviſer of the murther, be ſomewhat razed out or recovered; for that as the matters are exhibited againſt her, it is far unſeemly for any prince, or for chaſte ears, to be annoyed with the filthy noiſe thereof; and yet, as being a commiſſioner, I muſt and will forbear to pronounce any thing herein certainly, though as a private perſon I cannot but with horror and trembling think thereof." Cabala, 156. 5. From the correſpondence of Bowes, the Engliſh reſident in Scotland, with Walſingham, in the year 1582, publiſhed towards the cloſe of this diſſertation, it is manifeſt that both in England and Scotland, both by Elizabeth and James, both by the duke of Lennox and earl of Gowrie, the letters were deemed to be genuine. The eagerneſs, on one ſide to obtain, and on the other to keep, poſſeſſion of the caſket and letters, implies that this was the belief of both. Theſe ſentiments, of contemporaries, who were in a ſituation to be thoroughly informed, and who had abilities to judge with diſcernment, will, in the opinion of many of my readers, far outweigh theories, ſuppoſitions, and conjectures, formed at the diſtance of two centuries. 6. The letters were ſubjected to a ſolemn and judicial examination with reſpect to their authenticity, as far

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as that could be aſcertained by reſemblance of character and faſhion of writing; for, after the conferences at York and Weſtminſter were finiſhed, Elizabeth, as I have related, aſſembled her privy counſellors, and, joining to them ſeveral of the moſt eminent noblemen in her kingdom, laid before them all the proceedings againſt the Scottiſh queen, and particularly ordered, that "the letters and writings exhibited by the regent, as the queen of Scots' letters and writings, ſhould alſo be ſhewed, and conference [i. e. compariſon] thereof made in their ſight, with the letters of the ſaid queen's, being extant, and heretofore written with her own hand, and ſent to the queen's majeſty; whereby may be ſearched and examined what difference is betwixt them." Good. ii. 252. They aſſembled accordingly, at Hampton Court, December 14 and 15, 1568; and, "The originals of the letters ſuppoſed to be written with the queen of Scots' own hand, were then alſo preſently produced and peruſed; and, being read, were duly conferred and compared, for the manner of writing, and faſhion of orthography, with ſundry other letters long ſince heretofore written, and ſent by the ſaid queen of Scots to the queen's majeſty. In collation whereof no difference was found." Good. ii. 256, 7. Mary having written an apologetical letter for her conduct to the counteſs of Lennox, July 10, 1570[b], ſhe

[b] Mary's letter has never been publiſhed, and ought to have a place here, where evidence on all ſides is fairly produced. "Madam, if the wrang and falſe reportis of rebellis,

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ſhe tranſmitted it to her huſband then in Scotland; and he returned to the counteſs the following anſwer: "Seeing you have remittit to me, to anſwer the queen the king's mother's letters ſent to you, what can I ſay but that I do not marvell to ſee hir writ

bellis, enemies weill knawn for traitouris to zow, and alace to muche truſted of me by zoure advice, had not ſo far ſturred you aganis my innocency (and I muſt ſay aganis, all kyndneſs, that zou have not onelie as it were condempnit me wrangfullie, but ſo hated me, as ſome wordis and open deideis has teſtifeit to all the warlde, a manyfeſt miſliking in zow aganis zour awn blude), I would not have omittit thus lang my dewtie in wryting to zow excuſing me of thoſe untrew reporteis made of me. But hoping with Godis grace and tyme to have my innocency knawin to zow, as I truſt it is already to the maiſt pairt of all indifferent perſonis, I thocht it beſt not to trouble zou for a tyme till that ſuch a matter is moved that tuichis us bayth, quhilk is the tranſporting zoure littil ſon, and my onelie child in this countrey. To the quhilk albeit I be never ſa willing, I wald be glaid to have zoure advyſe therein, as in all other thingis tuiching him. I have born him, and God knawis with quhat danger to him and me boith; and of zow he is deſcendit. So I meane not to forzet my dewtie to zow, in ſchewin herein any unkyndneſs to zow, how unkyndlie that ever ze have delt with me, bot will love zow as my awnt, and reſpect zow as my moder in law. And gif ye ples to knaw farther of my mynd in that and all uther thingis betwixt us, my ambaſſador the biſhop of Roſs ſall be ready to confer with zou. And ſo after my hairtlie commendationis, remitting me to my ſaide ambaſſador, and zour better conſideratioun, I commit zou to the protection of Almighty God, quhom I pray to preſerve you and my brother Charles, and caus zou to knaw my pairt better nor ze do. From Chaitſworth this x of July 1570.

To my Ladie Lennox my moder in law.

Your natural gude Nice and lovinge dochter."

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the beſt can for hirſelf, to ſeame to purge her of that, quhairof many beſyde me are certainly perſuadit of the contrary, and I not only affurit by my awin knawledge, but by her hand writ, the confeſſionis of men gone to the death, and uther infallibil experience. It wull be lange tyme that is hable to put a mattir ſo notorious in oblivioun, to mak black quhyte, or innocency to appear quhair the contrary is ſa weill knawin. The maiſt indifferent, I truſt, doubtis not of the equite of zour and my cauſe, and of the juſt occaſioun of our myſliking. Hir richt dewtie to zow and me, being the parteis intereſt, were hir true confeſſioun and unfeyned repentance of that lamentable fact, odious for hir to be reportit, and ſorrowfull for us to think of. God is juſt, and will not in the end be abuſed; but as he has manifeſted the trewth, ſo will he puneiſe the iniquity." *Lennox's Orig. Regiſt. of Letters.* In their public papers, the queen's enemies may be ſuſpected of advancing what would be moſt ſubſervient to their cauſe, not what was agreeable to truth, or what flowed from their own inward conviction. But in a private letter to his own wife, Lennox had no occaſion to diſſemble; and it is plain, that he not only thought the queen guilty, but believed the authenticity of her letters to Bothwell. 8. In oppoſition to all theſe reaſons for believing the letters, &c. to be authentic, the conduct of the nobles confederated againſt Mary, in not producing them directly as evidence againſt her, has been repreſented as an irrefragable proof of their being forged. According

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According to the account of the confederates themſelves, the caſket containing the letters was ſeized by them on the twentieth of June one thouſand five hundred and ſixty-ſeven; but the firſt time that they were judicially ſtated as evidence againſt the queen was in a meeting of the regent's privy council, December fourth, and they afterwards ſerved as the foundation of the acts made againſt her in the parliament held on the fifteenth of the ſame month. If the letters had been genuine, it is contended, that the obtaining poſſeſſion of them muſt have afforded ſuch matter of triumph to the confederates, that they would inſtantly have proclaimed it to the whole world; and in their negociations with the Engliſh and French miniſters, or with ſuch of their fellow-ſubjects as condemned their proceedings, they would have ſilenced, at once, every advocate for the queen, by exhibiting this convincing proof of her guilt. But in this reaſoning ſufficient attention is not paid to the delicate and perilous ſituation of the confederates at that juncture. They had taken arms againſt their ſovereign, had ſeized her perſon at Carberry-hill, and had confined her a priſoner at Lochlevin. A conſiderable number, however, of their fellow-ſubjects, headed by ſome of the moſt powerful noblemen in the kingdom, was combined againſt them. This combination, they ſoon perceived, they could not hope to break or to vanquiſh without aid either from France or England. In the former kingdom, Mary's uncles, the duke of Guiſe and cardinal of

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of Lorrain, were, at that period, all powerful, and the king himſelf was devotedly attached to her. If the confederates confined their views to the diſſolution of the marriage of the queen with Bothwell, and to the excluſion of him for ever from her preſence, they might hope, perhaps, to be countenanced by Charles IX. and his miniſters, who had ſent an envoy into Scotland of purpoſe to diſſuade Mary from that ill-fated match; Append. No. XXII.; whereas the loading her publicly with the imputation of being acceſſory to the murder of her huſband, would be deemed ſuch an inexpiable crime by the court of France, as muſt cut off every hope of countenance or aid from that quarter. From England, with which the principal confederates had been long and intimately connected, they had many reaſons to expect more effectual ſupport; but to their aſtoniſhment, Elizabeth condemned their proceedings with aſperity, warmly eſpouſed the cauſe of the captive queen, and was extremely ſolicitous to obtain her releaſe and reſtoration. Nor was this merely the only one of the artifices which Elizabeth often employed in her tranſactions with Scotland. Though her moſt ſagacious miniſters conſidered it as the wiſeſt policy to ſupport the confederate lords rather than the queen of Scots, Elizabeth diſregarded their counſel [c]. Her high notions of royal authority, and

[c] This was the opinion of Throkmorton, as appears from an extract of his letter of July 11th, publiſhed in the Append. No.

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and of the ſubmiſſion due by ſubjects, induced her, on this occaſion, to exert herſelf in behalf of Mary, not only with ſincerity but with zeal; ſhe negociated, ſhe ſolicited, ſhe threatened. Finding the confederates inflexible, ſhe endeavoured to procure Mary's releaſe by means of that party in Scotland which continued faithful to her, and inſtructed Throkmorton to correſpond with the leaders of it, and to make overtures to that effect. Keith, 451. App. No. XXIII. She even went ſo far as to direct her ambaſſador at Paris to concert meaſures with the French king how they, by their joint efforts, might perſuade or compel the Scots to "acknowledge the queen her good ſiſter to be their ſovereign lady, and queen, and renounce their obedience to her ſon." Keith, 462, 3, 4. From all theſe circumſtances, the confederates had every reaſon to apprehend that Mary would ſoon obtain liberty, and by ſome accommodation be reſtored to the whole, or at leaſt to a conſiderable portion of her authority as ſovereign. In that

No. XXII. The ſame were the ſentiments of Cecil, in his letter of Aug. 19th, 1565, to ſir Henry Norris, Elizabeth's ambaſſador to France: "You ſhall perceive," ſays he, "by the queen's letter to you, at this preſent, how earneſtly ſhe is bent in favour of the queen of Scots, and truly ſince the beginning ſhe hath been greatly offended with the lords; and, howſoever her majeſty might make her profit by bearing with the lords in this action, yet no counſel can ſtay her majeſty from manifeſting her miſliking of them." Cabala, 140. And in his letter of Sept. 3d, "The queen's majeſty, our ſovereign, remaineth ſtill offended with the lords for the queen; the example moveth her." Ib. 141. Digges Comp. Amb. 14.

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event they foreſaw, that if they ſhould venture to accuſe her publicly of a crime ſo atrocious as the murder of her huſband, they muſt not only be excluded for ever from power and favour, but from any hope of perſonal ſafety. On this account they long confined themſelves to that which was originally declared to be the reaſon of their taking arms; the avenging the king's death, the diſſolving the marriage with Bothwell, the inflicting on him condign puniſhment, or baniſhing him for ever from the queen's preſence. It appears from the letters of Throkmorton, publiſhed by biſhop Keith, and in my Appendix, that his ſagacity early diſcovered that this would be the tenor of their conduct. In his letter from Edinburgh, dated July 14th, he obſerves, that "they do not forget their own peril conjoined with the danger of the prince, but, as far as I perceive, they intend not to touch the queen either in ſurety or in honour; for they ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that, the condition aforeſaid accompliſhed [i. e. the ſeparation from Bothwell], they will both put her to liberty, and reſtore her to her eſtate." Append. No. XXII. His letter of Auguſt 22d, contains a declaration made to him by Lethington, in name and in preſence of his aſſociates, "that they never meant harm neither to the queen's perſon nor to her honour—that they have been contented hitherto to be condemned, as it were, of all princes, ſtrangers, and, namely, of the queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, ſeditious,

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tious, ingrate, and cruel, all which they ſuffer and bear upon their backs, becauſe they will not juſtify themſelves, nor proceed in any thing that may touch their ſovereign's honour. But in caſe they be with theſe defamations continually oppreſſed, or with the force, aid, and practices of other princes, and namely of the queen of England, put in danger, or to an extremity, they ſhall be compelled to deal otherwiſe with the queen than they intend, or than they deſire; for, added he, you may be ſure we will not loſe our lives, have our lands forfeited, and be reputed rebels through the world, ſeeing we have the means to juſtify ourſelves." Keith 448. From this view of the ſlippery ground on which they ſtood at that time, their conduct in not producing the letters for ſeveral months, appears not only to have been prudent, but eſſential to their own ſafety.

But, at a ſubſequent period, when the confederates found it neceſſary to have the form of government, which they had eſtabliſhed, confirmed by authority of parliament, a different mode of proceeding became requiſite. All that had hitherto been done with reſpect to the queen's diſmiſſion, the ſeating the young king upon the throne, and the appointment of a regent, was in reality nothing more than the deed of private men. It required the exhibition of ſome legal evidence to procure a conſtitutional act giving the ſanction of its approbation to ſuch violent meaſures, and to obtain "a perfect law and ſecurity for all them that either by deed, counſel, or ſubſcription, had entered into that

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that cauſe ſince the beginning." Haynes, 453. This prevailed with the regent and his ſecret counſel, after long deliberation, to agree to produce all the evidence of which they were poſſeſſed; and upon that production parliament paſſed the acts which were required. Such a change had happened in the ſtate of the kingdom as induced the confederates to venture upon this change in their conduct. In June, a powerful combination was forming againſt them, under the leading of the Hamiltons. In December, that combination was broken; moſt of the members of it had acknowledged the king as their lawful ſovereign, and had ſubmitted to the regent's government. Huntly, Argyll, Herries, the moſt powerful noblemen of that party, were preſent in the parliament, and concurred in all its acts. Edinburgh, Dunbar, Dunbarton, and all the chief ſtrong holds in the kingdom, were now in the hands of the regent; the arms of France had full occupation in its civil war with the Hugonots. The ardour of Elizabeth's zeal in behalf of the captive queen ſeems to have abated. A ſtep that would have been followed with ruin to the confederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the circumſtance of their not having been produced immediately after the twentieth of June; but though no public accuſation was brought inſtantly againſt the queen, in conſequence of ſeizing the caſket, hints were given by the confederates, that they

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poſſeſſed evidence ſufficient to convict her. This is plainly implied in a letter of Throkmorton, July 21ſt, Keith, Pref. p. xii. and more clearly in the paſſage which I have quoted from his letter of Auguſt 22. In his letter of July 25, the papers contained in the caſket are ſtill more plainly pointed out. "They [i. e. the confederates] ſay, that they have as apparent proof againſt her as may be, as well by the teſtimony of her own hand-writing, which they have recovered, as alſo by ſufficient witneſſes." Keith, 426.

II. WITH regard to the internal proofs of the genuineneſs of the queen's letters to Bothwell, we may obſerve, 1. That whenever a paper is forged with a particular intention, the eagerneſs of the forger to eſtabliſh the point in view, his ſolicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, ſeldom fail of prompting him to uſe expreſſions the moſt explicit and full to his purpoſe. The paſſages foiſted into ancient authors by heretics in different ages; the legendary miracles of the Romiſh ſaints; the ſuppoſititious deeds in their own favour produced by monaſteries; the falſe charters of homage mentioned Vol. I. p. 210. are ſo many proofs of this aſſertion. No maxim ſeems to be more certain than this, that a forger is often apt to prove too much, but ſeldom falls into the error of proving too little. The point which the queen's enemies had to eſtabliſh was, "that as the earl of Bothwell was chief executor of the horrible and unworthy murder perpetrated, &c. ſo was ſhe of the foreknowledge, counſel, deviſe,

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viſe, perſuader, and commander of the ſaid murder to be done." Good. ii. 207. But of this there are only imperfect hints, obſcure intimations, and dark expreſſions in the letters, which, however convincing evidence they might furniſh if found in real letters, bear no reſemblance to that glare and ſuperfluity of evidence which forgeries commonly contain. All the advocates for Mary's innocence in her own age, contend that there is nothing in the letters which can ſerve as a proof of her guilt. Leſly, Blackwood, Turner, &c. abound with paſſages to this purpoſe; nor are the ſentiments of thoſe in the preſent age different. "Yet ſtill it might have been expected (ſays one of her ableſt defenders) that ſome one or other of the points or articles of the accuſation ſhould be made out clearly by the proof. But nothing of that is to be ſeen in the preſent caſe. There is nothing in the letters that could plainly ſhew the writer to have been in the foreknowledge, counſel, or device of any murder, far leſs to have perſuaded or commanded it; and as little is there about maintaining or juſtifying any murders." Good. i. 76. How ill adviſed were Mary's adverſaries, to contract ſo much guilt, and to practiſe ſo many artifices, in order to forge letters, which are ſo ill contrived for eſtabliſhing the concluſion they had in view! Had they been ſo baſe as to have recourſe to forgery, is it not natural to think that they would have produced ſomething more explicit and deciſive? 2. It is almoſt impoſſible to invent a long narration of fictitious events, conſiſting of various, minute particulars,

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and to connect these in such a manner with real facts, that no mark of fraud shall appear. For this reason, skilful forgers avoid any long detail of circumstances, especially of foreign and superfluous ones, well knowing that the more these are multiplied, the more are the chances of detection increased. Now Mary's letters, especially the first, are filled with a multiplicity of circumstances, extremely natural in a real correspondence, but altogether foreign to the purpose of the queen's enemies, and which it would have been extreme folly to have inserted, if they had been altogether imaginary, and without foundation. 3. The truth and reality of several circumstances in the letters, and these, too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. i. Good. ii. p. 1. The queen is said to have met one of Lennox's gentlemen, and to have had some conversation with him. Thomas Crawford, who was the person, appeared before Elizabeth's commissioners, and confirmed, upon oath, the truth of this circumstance. He likewise declared, that during the queen's stay at Glasgow, the king repeated to him, every night, whatever had passed through the day, between her majesty and him; and that the account given of these conversations in the first letter, is nearly the same with what the king communicated to him. Good. ii. 245. According to the same letter there was much discourse between the king and queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8. 10, 11. What this might be, was altogether unknown, until a letter of Mary's,

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preſerved in the Scottiſh college at Paris, and publiſhed, Keith, Pref. vii. diſcovered it to be an affair of ſo much importance as merited all the attention ſhe paid to it at that time. It appears by a letter from the French ambaſſador, that Mary was ſubject to a violent pain in her ſide. Keith, ibid. This circumſtance is mentioned, Lett. 1. p. 30. in a manner ſo natural as can ſcarcely belong to any but a genuine production. If we ſhall ſtill think it probable to ſuppoſe that ſo many real circumſtances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will hardly be poſſible to hold the ſame opinion concerning the following particular. Before the queen began her firſt letter to Bothwell, ſhe, as uſual among thoſe who write long letters containing a variety of ſubjects, made *notes* or *memorandums* of the particulars ſhe wiſhed to remember; but as ſhe ſat up writing during a great part of the night, and after her attendants were aſleep, her paper failed her, and ſhe continued her letter upon the ſame ſheet on which ſhe had formerly made her memorandums. This ſhe herſelf takes notice of, and makes an apology for it: "It is late; I deſire never to ceaſe from writing unto you, yet now, after the kiſſing of your hands, I will end my letter. Excuſe my evil writing, and read it twice over. Excuſe that thing that is ſcriblit, for I had na paper zeſterday, quhen I wraite that of the memorial." Good. ii. 28. Theſe memorandums ſtill appear in the middle of the letter; and what we have ſaid ſeems naturally

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to account for the manner how they might find their way into a real letter. It is ſcarce to be ſuppoſed, however, that any forger would think of placing memorandums in the middle of a letter, where, at firſt ſight, they make ſo abſurd and ſo unnatural an appearance. But if any ſhall ſtill carry their refinement to ſuch a length, as to ſuppoſe that the forgers were ſo artful as to throw in this circumſtance, in order to preſerve the appearance of genuineneſs, they muſt at leaſt allow that the queen's enemies, who employed theſe forgers, could not be ignorant of the deſign and meaning of theſe ſhort notes and memorandums; but we find them miſtaking them ſo far as to imagine that they were the *credit of the bearer*, i. e. points concerning which the queen had given him verbal inſtructions, Good. ii. 152. This they cannot poſſibly be; for the queen herſelf writes with ſo much exactneſs concerning the different points in the memorandums, that there was no need of giving any credit or inſtructions to the bearer concerning them. The memorandums are indeed the *contents* of the letter. 5. Mary, mentioning her converſation with the king, about the affair of Mynto, Hiegait, &c. ſays, "The morne, [i. e. to-morrow,] I will ſpeik to him upon that point;" and then adds, "As to the reſt of Willie Hiegait's, he confeſſit it; but it was the morne [i. e. the morning] after my coming or he did it." Good. ii. 9. This addition, which could not have been made till after the converſation happened, ſeems either to have been inſerted by the queen into the body of the letter, or, perhaps,

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haps, ſhe having written it on the margin, it was taken thence into the text. If we ſuppoſe the letter to be a real one, and written at different times, as it plainly bears, this circumſtance appears to be very natural; but no reaſon could have induced a forger to have ventured upon ſuch an anachroniſm, for which there was no neceſſity. An addition perfectly ſimilar to this made to a genuine paper, may be found, Good. ii. 282.

BUT, on the other hand, Mary herſelf, and the advocates for her innocence, have contended, that theſe letters were forged by her enemies, on purpoſe to blaſt her reputation, and to juſtify their own rebellion. It is not neceſſary to take notice of the arguments which were produced, in her own age, in ſupport of this opinion; the obſervations which we have already made, contain a full reply to them. An author, who has inquired into the affairs of that period with great induſtry, and who has acquired much knowledge of them, has publiſhed (as he affirms) a démonſtration of the forgery of Mary's letters. This demonſtration he founds upon evidence both internal and external. With regard to the former, he obſerves, that the French copy of the queen's letters is plainly a tranſlation of Buchanan's Latin copy; which Latin copy is only a tranſlation of the Scottiſh copy; and, by conſequence, the aſſertion of the queen's enemies, that ſhe wrote them originally in French, is altogether groundleſs, and the whole letters are groſs forgeries. He accounts for this ſtrange ſucceſſion of tranſlations, by ſuppoſing that when the forgery was projected, no perſon could be found

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capable of writing originally in the French language letters which would pass for the queen's; for that reason they were first composed in Scottish; but unluckily the French interpreter, as he conjectures, did not understand that language; and therefore Buchanan translated them into Latin, and from his Latin they were rendered into French. Good. i. 79, 80.

It is hardly necessary to observe, that no proof whatever is produced of any of these suppositions. The manners of the Scots, in that age, when almost every man of rank spent a part of his youth in France, and the intercouse between the two nations was great, render it altogether improbable that so many complicated operations should be necessary in order to procure a few letters to be written in the French language.

But without insisting farther on this, we may observe, that all this author's premises may be granted, and yet his conclusion will not follow, unless he likewise prove that the French letters, as we now have them, are a true copy of those which were produced by Murray and his party in the Scottish parliament, and at York and Westminster. But this he has not attempted; and if we attend to the history of the letters, such an attempt, it is obvious, must have been unsuccessful. The letters were first published at the end of Buchanan's *Detection*. The first edition of this treatise was in Latin, in which language three of the queen's letters were subjoined to it; this Latin edition was printed A. D. 1571. Soon after, a Scottish translation of it was published, and at the end

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end of it were printed, likewiſe in Scottiſh, the three letters which had formerly appeared in Latin, and five other letters in Scottiſh, which were not in the Latin edition. Next appeared a French tranſlation of the Detection, and of ſeven of the letters; this bears to have been printed at Edinburgh by Thomas Waltem, 1572. The name of the place, as well as the printer, is allowed by all parties to be a manifeſt impoſture. Our author, from obſerving the day of the month, from which the printing is ſaid to have been finiſhed, has aſſerted that this edition was printed at London; but no ſtreſs can be laid upon a date found in a book, where every other circumſtance with regard to the printing is allowed to be falſe. Blackwood, who (next to Leſly) was the beſt informed of all Mary's advocates in that age, affirms, that the French edition of the Detection was publiſhed in France: "Il [Buchanan] a depuis adjouſté a ceſte declamation un petit libelle du pretendu mariage dur duc de Norfolk, et de la façon de ſon proces, et la tout envoyè aux freres a la Rochelle, leſquels voyants qu'il pouvoit ſervir a la cauſe, l'ont traduit en François, et iceluy fut imprimée a Edinbourg, c'eſt a dire a la Rochelle, par Thomas Waltem, nom apoſté et fait a plaiſir. Martyre de Marie. Jebb, ii. 256." The author of the *Innocence de Marie* goes farther, and names the French tranſlator of the Detection. "Et icelui premierement compoſé (comme il ſemble) par George Buchanan Eſcoſſoys, et depuis traduit en langue Françoiſe par un Hugonot, Poitevin (advocat de vocation) Camuz, ſoy diſant gentilhomme, et un de

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plus remarquez ſediteuz de France. Jebb, i. 425. 443." The concurring teſtimony of two contemporary authors, whoſe reſidence in France afforded them ſufficient means of information, muſt outweigh a ſlight conjecture. The French tranſlator does not pretend to publiſh the original French letters as written by the queen herſelf; he expreſsly declares that he tranſlated them from the Latin. Good. i. 103. Had our author attended to all theſe circumſtances, he might have ſaved himſelf the labour of ſo many criticiſms to prove that the preſent French copy of the letters is a tranſlation from the Latin. The French editor himſelf acknowledges it, and, ſo far as I know, no perſon ever denied it.

We may obſerve that the French tranſlator was ſo ignorant, as to affirm that Mary had written theſe letters, partly in French, partly in Scottiſh. Good. i. 103. Had this tranſlation been publiſhed at London by Cecil, or had it been made by his direction, ſo groſs an error would not have been admitted into it. This error, however, was owing to an odd circumſtance. In the Scottiſh tranſlation of the Detection, two or three ſentences of the original French were prefixed to each letter, which breaking off with an &c. the Scottiſh tranſlation of the whole letter followed. This method of printing tranſlations was not uncommon in that age. The French editor obſerving this, fooliſhly concluded that the letters had been written partly in French, partly in Scottiſh.

If we carefully conſider thoſe few French ſentences of each letter, which ſtill remain, and apply to them that ſpecies of criticiſm, by which our author

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author has examined the whole, a clear proof will arise, that there was a French copy not translated from the Latin, but which was itself the original from which both the Latin and Scottish have been translated. This minute criticism must necessarily be disagreeable to many readers; but luckily a few sentences only are to be examined, which will render it extremely short.

In the first letter, the French sentence prefixed to it ends with these words, *y faisoit bon.* It is plain this expression, *veu ce que peut un corps sans cœur*, is by no means a translation of *cum plane perinde essem atque corpus sine corde.* The whole sentence has a spirit and elegance in the French, which neither the Latin nor Scottish have retained. *Jusques a la dinée* is not a translation of *toto prandii tempore;* the Scottish translation, *quhile denner-time*, expresses the sense of the French more properly; for anciently *quhile* signified *until* as well as *during*. *Je n'ay pas tenu grand propos* is not justly rendered *neque contulerim sermonem cum quoquam;* the phrase used in the French copy is one peculiar to that language, and gives a more probable account of her behaviour than the other. *Jugeant bien qu'il n'y faisoit bon* is not a translation of *ut qui judicarent id non esse ex usu.* The French sentence prefixed to lett. 2. ends with *apprendre.* It is evident that both the Latin and Scottish translations have omitted altogether these words, *et toutefois je ne puis apprendre.* The French sentence prefixed to lett. 3. ends with *presenter. J'aye veillè plus tard la haut* is plainly no translation of *diutius illic morata*

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rata ſum; the ſenſe of the French is better expreſſed by the Scottiſh, *I have walkit later there up.* Again, *Pour excuſer voſtre affaire* is very different from *ad excuſandam noſtra negotia.* The five remaining letters never appeared in Latin; nor is there any proof of their being ever tranſlated into that language. Four of them, however, are publiſhed in French. This entirely overturns our author's hypotheſis concerning the neceſſity of a tranſlation into Latin.

In the Scottiſh edition of the Detection, the whole *ſonnet* is printed in French as well as in Scottiſh. It is not poſſible to believe that this Scottiſh copy could be the original from which the French was tranſlated. The French conſiſts of verſes which hath both meaſure and rhyme, and which, in many places, are far from being inelegant. The Scottiſh conſiſts of an equal number of lines, but without meaſure or rhyme. Now no man could ever think of a thing ſo abſurd and impracticable, as to require one to tranſlate a certain given number of lines in proſe, into an equal number of verſes, where both meaſure and rhyme were to be obſerved. The Scottiſh, on the contrary, appears manifeſtly to be a tranſlation of the French; the phraſes, the idioms, and many of the words are French, and not Scottiſh. Beſides, the Scottiſh tranſlator has, in ſeveral inſtances, miſtaken the ſenſe of the French, and in many more expreſſes the ſenſe imperfectly. Had the ſonnet been forged, this could not have happened. The directors of the fraud would have underſtood

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underſtood their own work. I ſhall ſatisfy myſelf with one example, in which there is a proof of both my aſſertions. Stanza viii. ver. 9.

Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder ſantè et vie,
Pour luy tout vertu de ſuivre j'ay envie.

For him I attend all good fortune,
For him I will conſerve helthe and lyfe,
For him I deſire to enſue courage.

Attend in the firſt line is not a Scottiſh, but a French phraſe; the two other lines do not expreſs the ſenſe of the French, and the laſt is abſolute nonſenſe.

THE eighth letter was never tranſlated into French. It contains much refined myſticiſm about *devices*, a folly of that age, of which Mary was very fond, as appears from ſeveral other circumſtances, particularly from a letter concerning *impreſas* by Drummond of Hawthornden. If Mary's adverſaries forged her letters, they were certainly employed very idly when they produced this.

FROM theſe obſervations it ſeems to be evident that there was a French copy of Mary's letters, of which the Latin and Scottiſh were only tranſlations. Nothing now remains of this copy but thoſe few ſentences which are prefixed to the Scottiſh tranſlation. The French editor laid hold of theſe ſentences, and tacked his own tranſlation to them, which, ſo far as it is his work, is a ſervile and a very wretched tranſlation of Buchanan's Latin;

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Latin; whereas, in thoſe introductory ſentences, we have diſcovered ſtrong marks of their being originals, and certain proofs that they are not tranſlated from the Latin.

It is apparent, too, from comparing the Latin and Scottiſh tranſlations with theſe ſentences, that the Scottiſh tranſlator has more perfectly attained the ſenſe and ſpirit of the French than the Latin. And as it appears, that the letters were very early tranſlated into Scottiſh, Good. ii. 76. it is probable that Buchanan made his tranſlation, not from the French, but from the Scottiſh copy. Were it neceſſary, ſeveral critical proofs of this might be produced. One that has been already mentioned ſeems deciſive. *Diutius illic morata ſum* bears not the leaſt reſemblance to *j'ay veillé plus tard la haut;* but if, inſtead of *I walkit* [i. e. watched] *laiter there up*, we ſuppoſe that Buchanan read *I waitit*, &c. this miſtake, into which he might ſo eaſily have fallen, accounts for the error in his tranſlation.

These criticiſms, however minute, appear to be well founded. But whatever opinion may be formed concerning them, the other arguments, with regard to the internal evidence, remain in full force.

The external proofs of the forgery of the queen's letters, which our author has produced, appear at firſt ſight to be ſpecious, but are not more ſolid than that which we have already examined. Theſe proofs may be claſſed under two heads. 1. The erroneous and contradictory accounts which are ſaid to be given of the letters, upon the firſt judicial

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cial production of them. In the ſecret council held Decem. 4. 1567, they are deſcribed "as her privie letters written and ſubſcrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, paſſed on the 15th of the ſame month, they are deſcribed as "her privie letters writtin halelie with her awin hand." Good. ib. 67. This diverſity of deſcription has been conſidered as a ſtrong preſumption of forgery. The manner in which Mr. Hume accounts for this is natural and plauſible, vol. v. p. 498. And ſeveral ingenious remarks, tending to confirm his obſervations, are made in a pamphlet lately publiſhed, entitled, *Miſcellaneous Remarks on the Enquiry into the Evidence againſt Mary Queen of Scots.* To what they have obſerved it may be added, that the original act of ſecret council does not now exiſt; we have only a copy of it found among Cecil's papers, and the tranſcriber has been manifeſtly ſo ignorant, or ſo careleſs, that an argument founded entirely upon the ſuppoſition of his accuracy is of little force. Several errors into which he has fallen, we are enabled to point out, by comparing his copy of the act of ſecret council with the act of parliament paſſed in conſequence of it. The former contains a petition to parliament; in the latter the real petition is reſumed *verbatim*, and converted into a law. In the copy, the queen's marriage with Bothwell is called "a priveit marriage," which it certainly was not; for it was celebrated, after proclamation of banns, in St. Giles's church three ſeveral days, and with public ſolemnity; but in the act it is denominated "ane pretendit marriage," which

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which is the proper deſcription of it, according to the ideas of the party. In the copy, the queen is ſaid to be "ſo thrall and *bludy* affectionat to the privat appetite of that tyran," which is nonſenſe, but in the act it is "blindly affectionat." In the copy it is ſaid, "all nobill and virtuous men abhorring their *traine* and company." In the act, "their tyrannie and companie," which is evidently the true reading, as the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impoſſibility of reconciling the account, given of the time when, and the places from which, the letters are ſuppoſed to have been written, with what is certainly known concerning the queen's motions. According to the paper publiſhed, Anderſ. ii. 269. which has been called Murray's Diary, and which is formed upon the authority of the letters, Mary ſet out from Edinburgh to Glaſgow, January 21, 1567; ſhe arrived there on the 23d; left that place on the 27th; ſhe, together with the king, reached Linlithgow on the 28th, ſtayed in that town only one night, and returned to Edinburgh before the end of the month. But, according to Mr. Goodall, the queen did not leave Edinburgh until Friday January 24th; as ſhe ſtayed a night at Callendar, ſhe could not reach Glaſgow ſooner than the evening of Saturday the 25th, and ſhe returned to Linlithgow on Tueſday the 28th. By conſequence, the firſt letter, which ſuppoſes the queen to have been at leaſt four days in Glaſgow, as well as the ſecond letter, which bears date at Glaſgow, *Saturday morning*, whereas ſhe did not arrive there until the

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the evening, muſt be forgeries. That the queen did not ſet out from Edinburgh ſooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a life-rent* by James Boyd to Margaret Chalmers, granted by the queen, on the 24th of January, at Edinburgh; and likewiſe a letter of the queen's, dated at Edinburgh on the ſame day, appointing James Inglis taylor to the prince her ſon. That the king and queen had returned to Linlithgow on the 28th, appears from a deed, in which they appoint Andrew Ferrier keeper of their palace there, dated at Linlithgow, January 28. Good. i. 118.

THIS has been repreſented to be not only a convincing, but a legal proof of the forgery of the letters ſaid to be written by Mary; but how far it falls ſhort of this, will appear from the following conſiderations:

1. IT is evident from a declaration or confeſſion made by the biſhop of Roſs, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her hands a copy of thoſe letters which her ſubjects accuſed her of having written to Bothwell. Brown's Trial of the Duke of Norfolk, 31. 36. It is highly probable that the biſhop of Roſs had ſeen the letters before he wrote the defence of queen Mary's honour in the year 1570. They were publiſhed to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error ſo groſs, and, at that time, ſo obvious to diſcovery,

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as the ſuppoſing the queen to have paſſed ſeveral days at Glaſgow, while ſhe was really at Edinburgh; had they contained a letter dated at Glaſgow Saturday morning, though ſhe did not arrive there till the evening; is it poſſible that ſhe herſelf, who knew her own motions, or the able and zealous advocates who appeared for her in that age, ſhould not have publiſhed and expoſed this contradiction, and, by ſo doing, have blaſted at once the credit of ſuch an impoſture? In diſquiſitions which are naturally abſtruſe and intricate, the ingenuity of the lateſt author may diſcover many things which have eſcaped the attention, or baffled the ſagacity, of thoſe who have formerly conſidered the ſame ſubject. But when a matter of fact lay ſo obvious to view, this circumſtance of its being unobſerved by the queen herſelf, or by any of her adherents, is almoſt a demonſtration that there is ſome miſtake or fallacy in our author's arguments. So far are any, either of our hiſtorians, or of Mary's defenders, from calling in queſtion the common account concerning the time of the queen's ſetting out to Glaſgow, and her returning from it, that there is not the leaſt appearance of any difference among them with regard to this point. But farther,

2. THOSE papers in the public records, on which our author reſts the proof of his aſſertion concerning the queen's motions, are not the originals ſubſcribed by the queen, but copies only, or tranſlations of copies of thoſe originals. It is not neceſſary, nor would it be very eaſy, to render this intelligible to perſons unacquainted with the forms of

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of law in Scotland; but every Scotſman converſant in buſineſs will underſtand me when I ſay that the precept of confirmation of the life-rent to Boyd is only a Latin copy or note of a precept, which was ſealed with the privy ſeal, on a warrant from the ſignet-office, proceeding on a ſignature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter, ſealed with the privy ſeal, proceeding on a ſignature which bore date at Edinburgh January 24. From all this we may argue with ſome degree of reaſon, that a proof founded on papers which are ſo many removes diſtant from the originals, cannot but be very lame and uncertain.

3. AT that time all public papers were iſſued in the name both of the king and queen; by law, the king's ſubſcription was no leſs requiſite to any paper than the queen's; and therefore, unleſs the original ſignatures be produced, in order to aſcertain the particular day when each of them ſigned, or to prove that it was ſigned only by one of them, the legal proof ariſing from theſe papers would be, that both the king and queen ſigned them at Edinburgh on the 24th of January.

4. THE dates of the warrants or precepts iſſued by the ſovereign in that age, ſeem to have been in a great meaſure arbitrary, and affixed at the pleaſure of the writer; and of conſequence, theſe dates were ſeldom accurate, are often falſe, and can never be relied upon. This abuſe became ſo frequent, and was found to be ſo pernicious, that an act of parliament, A. D. 1592, declared the fixing a falſe date to a ſignature to be high treaſon.

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5. THERE ſtill remain, in the public records, a great number of papers, which prove the neceſſity of this law, as well as the fallacy of our author's arguments. And though it be no eaſy matter, at the diſtance of two centuries, to prove any particular date to be falſe, yet ſurpriſing inſtances of this kind ſhall be produced. Nothing is more certain from hiſtory, than that the king was at Glaſgow 24th January 1567; and yet the record of ſignatures from 1565 to 1582, fol. 16th, contains the copy of a ſignature to Archibald Edmonſton, ſaid to have been ſubſcribed by *our ſovereigns*, i. e. the king and queen, at Edinburgh, January 24, 1567; ſo that if we were to rely implicitly upon the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the queen, but the king too, was at Edinburgh on the 24th of January.

IT appears from an original letter of the biſhop of Roſs, that on the 25th of October 1566, Mary lay at the point of death; Keith, App. 134; and yet a deed is to be found in the public records, which bears that it was ſigned by the queen that day. Privy ſeal, lib. 35. fol. 89. *Ouchterlony*[d].

BOTHWELL ſeized the queen as ſhe returned from Stirling, April 24th, 1567, and (according to her own account) conducted her to Dunbar with all

[d] N. B. In ſome of the early editions of this Diſſertation, another inſtance of the ſame nature with thoſe which go before and follow was mentioned; but that, as has ſince been diſcovered, was founded on a miſtake of the perſon employed to ſearch the records, and is therefore omitted in this edition. The reaſoning, however, in the Diſſertation, ſtands ſtill in force, notwithſtanding this omiſſion.

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diligence. And. i. 95. But our author, relying on the dates of ſome papers which he found in the records, ſuppoſes that Bothwell allowed her to ſtop at Edinburgh, and to tranſact buſineſs there. Nothing can be more improbable than this ſuppoſition. We may therefore rank the date of the deed to *Wright*, Privy ſeal, lib. 36. fol. 43. and which is mentioned by our author, vol. i. 124. among the inſtances of the falſe dates of papers which were iſſued in the ordinary courſe of buſineſs in that age. Our author has miſtaken the date of the other paper to Forbes, ibid. it is ſigned April 14th, not April 24th.

If there be any point agreed upon in Mary's hiſtory, it is, that ſhe remained at Dunbar from the time that Bothwell carried her thither, till ſhe returned to Edinburgh along with him in the beginning of May. Our author himſelf allows that ſhe reſided twelve days there, vol. i. 367. Now though there are deeds in the records which bear that they were ſigned by the queen at Dunbar during that time, yet there are others which bear that they were ſigned at Edinburgh; e. g. there is one at Edinburgh, April 27th, Privy ſeal, lib. 36. fol. 97. There are others ſaid to be ſigned at Dunbar on that day. Lib. 31. Chart. No. 524. 526. Ib. lib. 32. No. 154. 157. There are ſome ſigned at Dunbar April 28th. Others at Edinburgh April 30th, lib. 32. Chart. No. 492. Others at Dunbar May 1ſt. Id. ibid. No. 158. Theſe different charters ſuppoſe the queen to have made ſo many unknown, improbable, and inconſiſtent journeys, that they afford the cleareſt demonſtration that the dates in theſe records ought not to be depended on.

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THIS becomes more evident from the date of the charter ſaid to be ſigned April 27th, which happened that year to be a Sunday, which was not, at that time, a day of buſineſs in Scotland, as appears from the books of *ſederunt*, then kept by the lords of ſeſſion.

FROM this ſhort review of our author's proof of the forgery of the letters to Bothwell, it is evident that his arguments are far from amounting to demonſtration *.

* The uncertainty of any concluſion formed merely on the date of public papers in that age, eſpecially with reſpect to the king, is confirmed and illuſtrated by a diſcovery which was made lately. Mr. Davidſon (to whom I was indebted for much information when I compoſed this Diſſertation thirty-three years ago) has, in the courſe of his intelligent reſearches into the antiquities of his country, found an original paper which muſt appear curious to Scottiſh antiquaries. Buchanan aſſerts, that on account of the king's frequent abſence, occaſioned by his diſſipation and love of field ſports, a *cachette*, or ſtamp cut in metal, was made, with which his name was affixed to public deeds, as if he had been preſent. Hiſt. lib. xvii. p. 343. Edit. Ruddim. Knox relates the ſame thing, Hiſt. p. 393. How much this may have diveſted the king of the conſequence which he derived from having his name conjoined with that of the queen in all public deeds, as the affixing of his name was thereby put entirely in the power of the perſon who had the cuſtody of the *cachette*, is manifeſt. The keeping of it, as both Buchanan and Knox affirm, was committed to Rizio. A late defender of queen Mary calls in queſtion what they relate, and ſeems to conſider it as one of their aſperſions. Goodall, vol. i. p. 238. The truth of their aſſertion, however, is now fully eſtabliſhed by the original deed which I have mentioned. This I have ſeen and examined with attention. It is now lodged by Mr. Davidſon in the ſignet-office. In it, the ſubſcription of the king's name has evidently been made by a *cachette* with printers ink.

'ANOTHER

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ANOTHER argument againſt the genuineneſs of theſe letters is founded on the ſtyle and compoſition, which are ſaid to be altogether unworthy of the queen, and unlike her real productions. It is plain, both from the great accuracy of compoſition in moſt of Mary's letters, and even from her ſolicitude to write them in a fair hand, that ſhe valued herſelf on thoſe accompliſhments, and was deſirous of being eſteemed an elegant writer. But when ſhe wrote at any time in a hurry, then many marks of inaccuracy appear. A remarkable inſtance of this may be found in a paper publiſhed Good. ii. 301. Mary's letters to Bothwell were written in the utmoſt hurry; and yet under all the diſadvantages of a tranſlation, they are not deſtitute either of ſpirit or of energy. The manner in which ſhe expreſſes her love to Bothwell has been pronounced indecent and even ſhocking. But Mary's temper led her to warm expreſſions of her regard; thoſe refinements of delicacy, which now appear in all the commerce between the ſexes, were, in that age, but little known, even among perſons of the higheſt rank. Among the earl of Hardwicke's papers, there is a ſeries of letters, from Mary to the duke of Norfolk, copied from the Harleian library, p. 37. b. 9. fol. 88. in which Mary declares her love to that nobleman in language which would now be reckoned extremely indelicate; Hard. State Papers, i. 189, &c.

SOME of Mary's letters to Bothwell were written before the murder of her huſband; ſome of them after that event, and before her marriage to Bothwell. Thoſe which are prior to the death of her

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huſband abound with the fondeſt expreſſions of her love to Bothwell, and excite ſomething more than a ſuſpicion that their familiarity had been extremely criminal. We find in them, too, ſome dark expreſſions, which her enemies employed to prove that ſhe was no ſtranger to the ſchemes which were formed againſt her huſband's life. Of this kind are the following paſſages: "Alace! I never diſſavit ony body; but I remit me altogidder to zour will. Send me advertiſement quhat I ſall do, and quhatſaever thing come thereof, I ſall obey zow. Adviſe to with zourſelf, gif ze can find out ony mair ſecret inventioun by medicine, for he ſuld tak medicine and the bath at Craigmillar." Good. ii. 22. "See not hir quhais fenzeit teiris ſuld not be ſa meikle praiſit and eſtemit, as the trew and faithfull travellis quhilk I ſuſtene for to merit hir place. For obtaining of the quhilk, againis my natural, I betrayis thame that may impeſche me. God forgive me," &c. Ibid. 27. "I have walkit later thairup, than I wald have done, gif it had not been to draw ſomething out of him, quhilk this berer will ſchaw zow, quhilk is the faireſt commodity that can be offerit to excuſe zour affairs." Ibid. 32. From the letters poſterior to the death of her huſband, it is evident that the ſcheme of Bothwell's ſeizing Mary by force, and carrying her along with him, was contrived in concert with herſelf, and with her approbation [f].

WITH

[f] THAT letters of ſo much importance as thoſe of Mary to Bothwell ſhould have been entirely loſt, appears to many altogether unaccountable. After being produced in England before Elizabeth's commiſſioners, they were delivered back by

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WITH reſpect to the ſonnets, Sir David Dalrymple has proved clearly, that they muſt have been written

by them to the earl of Murray. Good. ii. 235. He ſeems to have kept them in his poſſeſſion during life. After his death, they fell into the hands of Lennox his ſucceſſor, who reſtored them to the earl of Morton. Good. ii. 91. Though it be not neceſſarily connected with any of the queſtions which gave occaſion to this Diſſertation, it may perhaps ſatisfy the curioſity of ſome of my readers to inform them, that, after a very diligent ſearch, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public libraries in Great Britain. The only certain intelligence concerning them, ſince the time of their being delivered to Morton, was communicated by the accurate Dr. Birch.

EXTRACT of the letters of Robert Bowes, Eſq. ambaſſador from queen Elizabeth to the king of Scotland, written to ſir Francis Walſingham, ſecretary of ſtate, from the original regiſter book of Mr. Bowes's letters, from 15th of Auguſt 1582, to 28th September 1583, in the poſſeſſion of Chriſtopher Hunter, M.D. of Durham.

1582, 8th November, from Edinburgh.

ALBEIT I have been borne in hand, That the coffer wherein were the originals of letters between the Scottiſh queen and the earl of Bothwell, had been delivered to ſundry hands, and thereby was at preſent wanting, and unknown where it reſted, yet I have learned certainly by the prior of Pluſcardyne's means, that both the coffer and alſo the writings are come, and now remain with the earl of Gowrie, who, I perceive, will be hardly intreated to make delivery to her majeſty according to her majeſty's deſire.

THIS time paſt I have expended in ſearching where the coffer and writings were, wherein, without the help of the prior, I ſhould have found great difficulty; now I will eſſay Gowrie, and of my ſucceſs you ſhall be ſhortly advertiſed.

12th of November 1582, from Edinburgh.

BECAUSE I had both learned, that the caſket and letters mentioned in my laſt, before theſe were come to the poſſeſſion of the earl of Gowrie, and alſo found that no mean might prevail.

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written after the murder of the king, and prior to Mary's marriage with Bothwell. But as hardly any part

vail to win the ſame out of his hands without his own conſent and privity; in which behalf I had employed fit inſtruments, that nevertheleſs profited nothing; therefore, I attempted to eſſay himſelf, letting him know that the ſaid caſket and letters ſhould have been brought to her majeſty by the offer and good means of good friends, promiſing to have delivered them to her majeſty before they came into his hands and cuſtody, and knowing that he did bear the like affection, and was ready to pleaſure her majeſty in all things, and chiefly in this that had been thus far tendered to her majeſty, and which thereby ſhould be well accepted and with princely thanks and gratuity be requited to his comfort and contentment; I moved him that they might be a preſent to be ſent to her majeſty from him, and that I might cauſe the ſame to be conveyed to her majeſty, adding hereunto ſuch words and arguments as might both ſtir up a hope of liberality, and alſo beſt effect the purpoſe. At the firſt he was loth to agree that they were in his poſſeſſion; but I let him plainly know that I was certainly informed that they were delivered to him by Sanders Jardin; whereupon he preſſed to know who did ſo inform me, enquiring whether the ſons of the earl of Morton had done it, or no. I did not othewiſe in plain terms deny or anſwer thereunto, but that he might think that he had told me, as the prior is ready to avouch, and well pleaſed that I ſhall give him to be the author thereof; after he had ſaid [though] all theſe letters were in his keeping (which he would neither grant nor deny) yet he might not deliver them to any perſon without the conſents and privities, as well of the king, that had intereſt therein, as alſo of the reſt of the noblemen enterpriſers of the action againſt the king's mother, and that would have them kept as an evidence to warrant and make good that action. And albeit I replied, that their action in that part touching the aſſignation of the crown to the king by his mother, had received ſuch eſtabliſhment, confirmation, and ſtrength, by acts of parliament and other public authority and inſtruments, as neither ſhould that caſe be ſuffered to come in debate or quēſtion, nor ſuch ſcrolls and papers ought to be ſhewed for the ſtrengthening

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part of my narrative is founded upon what is contained in the ſonnets, and as in this Diſſertation I have

ening thereof, ſo as theſe might well be left and be rendered to the hands of her majeſty, to whom they were deſtined before they fell in his keeping; yet he would not be removed or ſatisfied; concluding, after much reaſonings, that the earl of Morton, nor any other that had the charge and keeping thereof, durſt at any time make delivery; and becauſe it was the firſt time that I had moved him therein, and that he would gladly both anſwer her majeſty's good expectation in him, and alſo perform his duty due to his ſovereign and aſſociates in the action aforeſaid; therefore he would ſeek out the ſaid caſket and letters, at his return to his houſe, which he thought ſhould be within a ſhort time; and upon finding of the ſame, and better advice and conſideration had of the cauſe, he would give further anſwer. This reſolution I have received as to the thing; and for the preſent I could not better, leaving him to give her majeſty ſuch teſtimony of his good will towards her, by his frank dealing herein, as ſhe may have cauſe to confirm her highneſſes good opinion conceived already of him, and be thereby drawn to greater goodneſs towards him. I ſhall ſtill labour him both by myſelf and alſo by all other means; but I greatly diſtruſt the deſired ſucceſs herein.

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the hands of the earl of Gowrie, I have lately moved him earneſtly therein, letting him know the purpoſe of the Scottiſh queen, both giving out that the letters are counterfeited by her rebels, and alſo ſeeking thereon to have them delivered to her or defaced, and that the means which ſhe will make in this behalf ſhall be ſo great and effectual, as theſe writings cannot be ſafely kept in that realm without dangerous offence of him that hath the cuſtody thereof, neither ſhall he that is once known to have them be ſuffered to hold them in his hands. Herewith I have at large opened the perils likely to fall to that action, and the parties therein, and particularly to himſelf that is now openly known to have the poſſeſſion of theſe writings, and I have lettin him ſee what ſurety it ſhall bring to the ſaid cauſe and all the parties therein, and to himſelf, that theſe writings may

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have been conſtrained to dwell longer upon minute and verbal criticiſms, than may be intereſting or agreeable

may be with ſecrecy and good order committed to the keeping of her majeſty, that will have them ready whenſoever any uſe ſhall be for them, and by her highneſſes countenance defend them and the parties from ſuch wrongful objections as ſhall be laid againſt them, offering at length to him, that if he be not fully ſatisfied herein, or doubt that the reſt of the aſſociates ſhall not like of the delivery of them to her majeſty in this good manner, and for the intereſt rehearſed, that I ſhall readily, upon meeting and conference with them, procure their aſſent in this part (a matter more eaſy to offer than to perform); and laſtly, moving him that (for the ſecrecy and benefit of the cauſe, and that her majeſty's good opinion towards himſelf may be firmly ſettled and confirmed by his acceptable forwardneſs herein) he would, without needleſs ſcruple, frankly commit theſe writings to her majeſty's good cuſtody for the good uſes received. After long debate he reſolved, and ſaid, that he would unfeignedly ſhew and do to her majeſty all the pleaſure that he might without offence to the king his ſovereign, and prejudice to the aſſociates in the action, and therefore he would firſt make ſearch and view the ſaid letters, and herein take advice what he might do, and how far he might ſatisfy and content her majeſty; promiſing thereon to give more reſolute anſwer; and he concluded flatly, that after he had found and ſeen the writings, that he might not make delivery of them without the privity of the king. Albeit I ſtood along with him againſt his reſolution in this point, to acquaint the king with this matter before the letters were in the hands of her majeſty, letting him ſee that his doings there ſhould admit great danger to the cauſe; yet I could not remove him from it. It may be that he meaneth to put over the matter from himſelf to the king, upon ſight whereof I ſhall travel effectually to obtain the king's conſent, that the letters may be committed to her majeſty's keeping, thinking it more eaſy to prevail herein with the king, in the preſent love and affection that he beareth to her highneſs, than to win any thing at the hands of the aſſociates in the action, whereof ſome principal of them now come and remain at

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agreeable to many of my readers, I ſhall reſt ſatisfied with referring, for information concerning every particular relative to the ſonnets, to *Remarks on the Hiſtory of Scotland*, Chap. XI.

HAVING thus ſtated the proof on both ſides; having examined at ſo great a length the different ſyſtems with regard to the facts in controverſy; it may be expected that I ſhould now pronounce ſentence. In my opinion, there are only two concluſions, which can be drawn from the facts which have been enumerated.

at the devotion of the king's mother; in this I ſhall ſtill call on Gowrie, to ſearch out the coffer, according to his promiſe; and as I ſhall find him minded to do therein, ſo ſhall I do my beſt and whole endeavour to effect the ſucceſs to her majeſty's beſt contentment.

2d December 1582, from Edinburgh.

BECAUSE I ſaw good opportunity offered to renew the matter to the earl of Gowrie for recovery of the letters in the coffer in his hands, therefore I put him in mind thereof; whereupon he told me, that the duke of Lennox had ſought earneſtly to have had thoſe letters, and that the king did know where they were, ſo as they could not be delivered to her majeſty without the king's privity and conſent, and he pretended to be ſtill willing to pleaſure her majeſty in the ſame, ſo far as he may with his duty to the king and to the reſt of the aſſociates in that action; but I greatly diſtruſt to effect this to her majeſty's pleaſure, wherein, nevertheleſs, I ſhall do my utmoſt endeavours.

WHETHER James VI. who put the earl of Gowrie to death, A. D. 1584, and ſeized all his effects, took care to deſtroy his mother's letters, for whoſe honour he was at that time extremely zealous, whether they have periſhed, by ſome unknown accident; or whether they may not ſtill remain unobſerved among the archives of ſome of our great families, it is impoſſible to determine.

ONE,

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ONE, that Bothwell, prompted by his ambition or love, encouraged by the queen's known averſion to her huſband, and preſuming on her attachment to himſelf, ſtruck the blow without having concerted with her the manner or circumſtances of perpetrating that crime. That Mary, inſtead of teſtifying much indignation at the deed, or diſcovering any reſentment againſt Bothwell, who was accuſed of having committed it, continued to load him with marks of her regard, conducted his trial in ſuch a manner as rendered it impoſſible to diſcover his guilt, and ſoon after, in oppoſition to all the maxims of decency or of prudence, voluntarily agreed to a marriage with him, which every conſideration ſhould have induced her to deteſt. By this verdict, Mary is not pronounced guilty of having contrived the murder of her huſband, or even of having previouſly given her conſent to his death; but ſhe is not acquitted of having diſcovered her approbation of the deed, by her behaviour towards him who was the author of it.

THE other concluſion is that which Murray and his adherents laboured to eſtabliſh, "That James, ſometymme earl of Bothwile, was the chiefe executor of the horribill and unworthy murder, perpetrat in the perſon of umquhile king Henry of gude memory, fader to our ſoverain lord, and the queenis lauchfull huſband; ſa was ſhe of the foreknowledge, counſall, deviſe, perſwadar and command of the ſaid murder to be done." Good. ii. 207.

WHICH of theſe concluſions is moſt agreeable to the evidence that has been produced, I leave my readers to determine.

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APPENDIX.

No. I. (Vol. II. p. 2.)

A MEMORIAL of certain points meet for reſtoring the realm of SCOTLAND to the antient weale.

IMPRIMIS, it is to be noted, that the beſt worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one iſland, divided from the reſt of the world. 5th Auguſt 1559. Cotton. Lib. Cal. B. 10. fol. 17. From a copy in ſecretary Cecil's hand.

IF the firſt is ſought, that is, to be in perpetual peace with England, then muſt it neceſſarily be provided, that Scotland be not ſo ſubject to the appointments of France as is preſently, which, being an antient enemy to England, ſeeketh always to make Scotland an inſtrument, to exerciſe, thereby, their malice upon England, and to make a footſtool thereof to look over England as they may.

THEREFORE, when Scotland ſhall come into the hands of a mere Scottiſh man in blood, then may there be hope of ſuch accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt theſe two realms.

THEREFORE, ſeeing it is at the French king's commandment by reaſon of his wife, it is to be conſidered for the weale of Scotland, that until ſhe have children, and during her abſence out of the realm, the next heirs to the crown, being the houſe of the Hamiltons, ſhould have regard hereto, and to ſee that neither the crown be impoſed nor waſted; and, on the other ſide, the nobility and commonalty ought to force that the laws and the old cuſtoms of the realm be not altered, neither that the country be not impoveriſhed by taxes, empreſt, or new impoſts, after the manner

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manner of France; for provision wherein, both by the law of God and man, the French king and his wife may be moved to reform their misgovernance of the land.

And for this purpose it were good that the nobility and commons joined with the next heir of the crown, to seek due reformation of such great abuses as tend to the ruin of their country, which must be done before the French grow too strong and insolent.

First, That it may be provided by consent of the three estates of the land, that the land may be free from all idolatry like as England is; for justification whereof, if any free general council may be had where the pope of Rome have not the seat of judgment, they may offer to shew their cause to be most agreeable to Christ's religion.

Next, To provide that Scotland might be governed, in all rules and offices, by the antient blood of the realm, without either captains, lieutenants, or soldiers, as all other princes govern their countries, and especially that the forts might be in the hands of mere Scottish men.

Thirdly, That they might never be occasioned to enter into wars against England, except England should give the first cause to Scotland.

Fourthly, That no nobleman of Scotland should receive pension of France, except it were whilst he did serve in France, for otherwise thereby the French would shortly corrupt many to betray their own country.

Fifthly, That no office, abbey, living, or commodity, be given to any but mere Scottish men, by the assent of the three estates of the realm.

Sixthly, That there be a council in Scotland appointed in the queen's absence, to govern the whole realm, and in those cases not to be directed by the French.

Seventhly, That it be by the said three estates appointed how the queen's revenue of the realm shall be expended, how much the queen shall have for her portion and estate during her absence, how much shall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treasure.

In these, and such like points, if the French king and the queen be found unwilling, and will withstand these provisions for the weale of the land, then hath the three estates of the realm authority, forthwith, to intimate to the said king and queen their humble requests; and if the same be not effectually granted, then humbly they may commit

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commit the governance thereof to the next heir of the crown, binding the ſame alſo to obſerve the laws and ancient rights of the realm.

FINALLY, If the queen ſhall be unwilling to this, as it is likely ſhe will, in reſpect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleaſed to transfer from her the rule of the kingdom for the weal of it, and this time muſt be uſed with great circumſpection, to avoid the decepts and tromperies of the French.

AND then may the realm of Scotland conſider, being once made free, what means may be deviſed by God's goodneſs, to accord the two realms, to endure for time to come at the pleaſure of Almighty God, in whoſe hands the hearts of all princes be.

No. II. (Vol. II. p. 12.)

A Letter of Maitland of Lethington's, thus directed:

To my loving friend James. Be this delivered at London.

I UNDERSTAND by the laſt letter I received from yow, that diſcourſing with zour countrymen upon the matter of Scotland, and commoditeys may enſew to that realm hereafter, giff ze preſently aſſiſt ws with zour forces, ze find a nombre of the contrary adviſe, doubting that we ſal not at length be found truſty friends, nor mean to contynew in conſtant ametye, albeit we promiſe, but only for avoyding the preſent danger make zou to ſerve our turne, and after being delivered, becum enemies as of before. For profe quhareof, they alledge things that have paſt betwixt ws heretofore, and a few preſumptiones tending to the ſam end, all grounded upon miſtruſt; quhilks, at the firſt ſicht, have ſome ſhewe of appearance, gif men wey not the circumſtances of the matter; but gif they will confer the tyme paſt with the preſent, conſider the nature of this caus, and eſtate of our countrye, I doubt not but jugement ſal be able to baniſh miſtruſt. And firſt, I wad wiſh ze ſhould examyne the cauſes off the old inmitye betwixt the realms of England and Scotland, and quhat moved our anceſtours

30th January 1559-60. Cott. Lib. Cal. B. ix. From the original in his own hand.

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anceſtours to enter into ligue with the Frenche; quhilks by our ſtoreys and regiſtres off antiquiteys appear to be theſe. The princes of England, ſome tyme, alledging a certain kynde of ſoveraintye over this realm; ſome tyme upon hye courage, or incited by incurſions off our bordourares, and ſemblable occaſions, mony times enterpriſed the conqueſt of ws, and ſa far furth prieſt it by force off armes, that we were dryven to great extramiteys, by loſs of our princes, our noblemen, and a good part of our cuntrey, ſay that experience taught ws that our owne ſtrength was ſcarſe ſufficient to withſtand the force of England. The Frenche zour auncient enemies, conſidering well how nature had ſa placed ws in a iſland with zow, that na nation was able ſa to annoye England as we being enemyes, ſoucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invaſion of France, and occupy zow in the defence of zour cuntry at hame, offering for that effect to beſtowe ſome charges upon ws, and for compaſſing off theyr purpos, choyſed a tyme to propone the matter, quhen the freſche memory of injuris lately receaved at zour hands, was ſa deeply prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourſelfes with the powar of a forayne prince againſt zour enterpriſes thereafter.

This wes the beginning off our confederacy with France. At quhilk time, our cronicles maks mention, that ſome off the wyſeſt foreſaw the perril, and ſmall frute ſhould redound to us thereof at length: zit had affection ſo blinded jugement, that the adviſe of the maiſt part overcame the beſt. The maiſt part of all quarrels betwixt us ſince that tyme, at leaſt quhen the provocation came on our ſide, hes ever fallen out by theyr procurement rather than any one caus of our ſelfes: and quhenſaever we brack the peace, it came partly by their intyſements, partly to eſchew the conqueſt intended by that realm. But now hes God's providence ſa altered the caſe, zea changed it to the plat contrary, that now hes the Frenſche taken zour place, and we, off very jugement, becum deſyrous to have zou in theyr rowme. Our eyes are opened, we eſpy how uncareful they have been of our weile at all tymes, how they made ws ever to ſerve their turne, drew us in maiſt dangerous weys for theyre commodite, and nevertheleſs wad not ſtyck, oft tymes, againſt the natour of the ligue, to contrak peace, leaving us in weyr. We ſae that their

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ſupport off late zeres, wes not grantit for any affection they bare to ws, for pytie they had off our eſtate, for recompenſe off the lyke friendſhip ſcawin to them in tyme off theyr afflictiones, but for ambition, and inſaciable cupidite to reygne, and to mak Scotland ane acceſſary to the crown of France. This was na friendly office, but mercenary, craving hyre farre exceeding the proportion of theyr deſerving; a hale realm for the defence of a part. We ſee theym manifeſtly attempt the thing we ſuſpected off zow; we feared ze ment the conqueſt of Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze meant evill towards ws, and ſall we love theym, quhilks bearing the name off friends, go about to bring us in maiſt vile ſervitude? Gif by zour friendly ſupport at this tyme, ze ſall declare that not only ſute ze not the ruyne of our countrey, but will preſerve the libertie thereof from conqueſt by ſtrangeares, ſall not the occaſion of all inimite with zow, and ligue with theym, be taken away? The cauſes being removed, how ſall the effectes remane? The fear of conqueſt made us to hate zou and love theym, the cais changed, quhen we ſee theym planely attempt conqueſt, and zow ſchaw ws friendſhip, ſall we not hate them, and favour zow? Gif we have ſchawne ſa great conſtance, continuing za mony zeares in amity with theym, off quhome we had ſa ſmall commodite, quhat ſall move us to breake with zow, that off all nations may do ws greateſt pleſour?

But ze will ſay, this matter may be reconcyled and then frends as off before. I think weill peace is the end of all weyr, but off this ze may be aſſured, we will never ſa far truſt that reconciliation, that we will be content to forego the ametye of England, nor do any thing may bring ws in ſuſpicion with zow. Giff we wold at any tyme to pleaſe theym, break with zow, ſhould we not, beſydes the loſſe of eſtimation and diſcrediting off ourſelfes, perpetually expone our common weill to a maiſt manifeſt danger, and becum a prey to theyr tyranny? Quhais aid could we implore, being deſtitute of zour friendſhip, gif they off new wald attempt theyr former enterpriſe? Quhat nation myght help we giff they wald, or wald giff they myght? And it is lyke enouch, they will not ſtick hereafter to tak theyr time off ws, quhen diſpleſour and grudge hes taken depe rute on baith ſydes, ſeeing ambition has ſa impytit ower theyr reaſon, that before we had ever done

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any thing myght offend theym, but by the contrary pleaſed them by right and wrang, they did not ſtick to attempte the ſubverſion of our hale ſtate. I wald ze ſhould not eſteeme ws ſa barayne of jugement, that we cannot foreſee our awne perril; or ſa fooliſche, that we will not ſtudy by all gode means to entertayne that thing may be our ſafetye; quhilk conſiſtes in all the relaying of zour friendſhips. I pray zou conſider in like caſe, when, in the days of zour princes off maiſt noble memory king Henry the VIII. and king Edward the VI. meanes were opened off amytye betwixt baith realms; was not at all tymes the difference of religion the onley ſtay they were not embraced? Did not the craft of our clergy and power of theyr adherents ſubvert the deviſes of the better ſort? But now has God off his mercy removed that block furth off the way; now is not theyr practice lyke to tak place any mare, when we are comme to a conformity of doctrine, and profes the ſame religion with zow, quhilk I take to be the ſtrayteſt knot of amitye can be deviſed. Giff it may be alledged that ſome of our countrymen, at ony tyme violated theyr promis? giff ze liff to way the circumſtances, ze ſall find the promis is rather brought on by neceſſite, after a great overthraw off our men, then comme off fre will, and tending ever to our great incomodite and decay off our haill ſtate, at leiſt ſa taken. But in this caſe, ſall the preſervation off our libertie be inſeparably joined with the keping off promeſſe, and the violation off our fayth caſt ws in maiſt miſerable ſervitude. So that giff neither the fear off God, reverence of man, religion, othe, promiſe, nor worldly honeſtye wes ſufficient to bynd ws, yet ſall the zeale of our native countrey, the maintenance off our own eſtate, the ſafety of our wyffes and childrene from ſlavery, compell ws to kepe promiſe. I am aſſured, it is trewly and ſincerely ment on our part to continew in perpetual ametye with zow; it ſall be uttered by our proceedings. Giff ze be as deſyrous of it as we ar, aſſurances may be devyſed, quharby all parteys will be out of doubte. There be gode means to do it, fit inſtruments for the purpos, tyme ſerves weill, the inhabitants of baith realms wiſh it, God hes wrought in the people's hartes on bayth parties a certaine ſtill agreement upon it, never did, at any tyme, ſo mony things concurre at ones to knyt it up, the diſpoſition of a few, quahis harts are in Godis hands, may mak

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up the hale. I hope he quha hes begun this work, and mainteyned it quhile now, by the expectation of man, ſall perfyte it.

I PRAY zow, let not zour men dryve time in conſultation, quhether ze ſall ſupport ws or no. Seyng the mater ſpeaketh for itſelf, that ze mon take upon zow the defence of our caus, giff ze have any reſpect for zour awne weill. Their preparatives in France, and levying of men in Germany, (quheyroff I am lately advertiſed,) ar not altogidder ordeyned for us, ze are the mark they ſhote at; they ſeke our realme, but for ane entrey to zours. Giff they ſhould directly ſchaw hoſtilite to zow, they knaw zo wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing they dare not as zit planely attempte. They ſeme to invade us to th' end, that having aſſembled theyr hayle forces ſa nere zour bordours, they may unlok it to attack zow: It is ane of their ald fetches, making a ſchew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were aſſaizeit, and carried away, ze being in peace as now. How the enterpriſe of Calais was fynely diſſembled, I think ze have not ſa ſone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze ſe not the lyke diſpoſition preſently in theym, ze ſe nathing. It is a groſſe ignorance to miſknaw, what all nations planely ſpeks off. Tak heed ze zay not hereafter, "Had I wiſt;" ane uncomely ſentence to procede off a wyſe man's mouth. That is onwares chanced on to zow, quhilk zow commonly wiſſed, that this countrey myght be divorſed from the Frenſche, and is ſa comme to paſs as was maiſt expedient for zow. For giff by your intyſement we had taken the mater in hand, ze myght have ſuſpected we would have been untruſty friends, and na langer continued ſtedfaſte, then perril had appeared. But now, quhen off our ſelf, we have conceyved the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deſerved our inimitye, let no man dobte but they ſall fynde ws enemyes in erneſt, that ſa ungently hes demeyned our countrey, and at quhais hands we look for nathing but all extremitye, giff ever they may get the upper hand. Let not this occaſion, ſa happely offered, eſcape zow: giff ze do, neglecting the preſent opportunitie, and hoping to have ever gode luk, comme ſleaping upon zow, it is to be feared zour enemye

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waxe ſo great, and ſa ſtrang, that afterwards quhen ze wald, ze ſall not be able to put him down; and then, to zour ſmart, after the tyme ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh of overſight, and truſting to zour enemyes promeſſe. We offer zow the occaſion, quheyrby zour former loſſes may be repayred. Quhilk giff ze let over ſlyde, ſuffering ws to be overrun, quha then, I pray zow, ſall ſtay the Frenſche, that they ſall not invade zow in zowr own boundes, ſick is their luſt to reygne, that they can neither be content with theyr fortune preſent, nor reſt and be ſatisfied when they have gode luck, but will ſtill follow on, having in theyr awne brayne conceaved the image of ſa great a conqueſt, quhat think ye ſall be the end? Is ther any of ſa ſmall jugement, that he doth not foreſee already, that theyr hail force ſall then be bent againſt zow?

It ſall not be amis, to conſider in quhat caſe the Frenſche be preſently. Theyr eſtate is not always ſa calm at hame as every man thinketh. And trewly it wes not theyr great redines for weyr made theym to tak this matter on hand, at this tyme, but rather a vayne truſt in their awne policy, thinking to have found na reſiſtance, their opinion hes deceaved theym, and that makes them now amaſed. The eſtates off the empire (as I heare) has ſuted reſtitution off th' imperial towns Metz, Toull, and Verdun, quhilk may grow to ſome beſynes; and all thing is not a calme within their awne countrey, the leſs fit they be preſently for weyr, the mare opportune eſteme ye the time for zow. Giff the lyke occaſion were offered to the Frenſche againſt zow, wey, how gladly would they embrace it. Are ze not eſchamed of zour ſleuth, to ſpare they that hes already compaſſed zour deſtruction, giff theym were able? Conſider with zour ſelf quhilks is to be choyſed? To weyr againſt them out with zour realme or within? Giff quhill ze ſleape, we ſall be overthrowne, then ſall they not fayle to fute zou in zour awne countrey, and uſe ws as a fote ſtole to overloke zow. But ſome will ſay, perhaps, they meane it not. It is foly to think they wald not giff they were able, quhen before hand they ſtick not to giff zour armes, and uſurpe the ſtyle of zour crown. Then quhat difference there is to camp within zowr awne bounds or without, it is manifeſt. Giff twa armyes ſhould camp within zowr country, but a moneth;

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moneth; albeit ye receaved na other harme, zit ſhould zour loſſe be greater, nor all the charge ze will nede to beſtow on our ſupport will draw to, beſydes the diſhonour.

LET not men, that eyther lack gode adviſe, or ar not for particular reſpects weill affected to the caus, move zow to ſubtract zour helping hand, by alleging things not apparent, for that they be poſſible. It is not, I grant, unpoſſible that we may receave conditiones of peace; but I ſee little likelyhode that our ennemyes will offer ws ſik as will remove all miſtruſt, and giff we wald have accepted others, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our juſt querell, with the name of conſpiracy againſt our ſoverayne. It is hir hyenes right we manetayne. It is the liberty of hir realm we ſtudy to preſerve with the hazard of our lyves. We are not (God knaweth) comme to this point for wantones, as men impatient of rewll, or willing to ſchake off the zoke of government, but ar drawne to it by neceſſite, to avoyde the tyranny of ſtrangeares, ſeaking to defraude ws of lawful government. Giff we ſhould ſuffer ſtrangeares to plant themſelffes peaceably in all the ſtrenthes of our realme, fortify the ſeyportes, and maiſt important places, as ane entre to a plain conqueſt, now in the minorite of our ſoveraine, beyng furth of the realme, ſhould we not be thought oncareful off the common weill, betrayres of our native countrey, and evill ſubjects to hir majeſte? Quhat other opinion could ſche have off ws? Might ſhe not juſtly hereafter call ws to accompt, as negligent miniſteres? Giff ſtrangeares ſhould be thus ſuffered to broke the chefe offices, beare the hail rewll, alter and pervert our lawes and liberty at theyr pleſour; myght not the people eſteem our noblemen unworthy the place of counſalours? We mean na wyſe to ſubtrak our obedience from our ſoverane, to defraud hir hyenes off her dew reverence, rents and revenues off hir crown. We ſeke nathing but that Scotland may remane, as of before, a fre realme, rewlit by hir hyenes and hir miniſteres borne men of the ſam; and that the ſucceſſion of the crown may remane with the lawful blode.

I WALD not ze ſould not ſa lyttil eſteme the friendſhip of Scotland, that ze juged it not worthy to be embraced. It ſall be na ſmall commodite for zow to be delivered off

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the anoyance of ſo neir a nyghtbour, quhais inimitye may more trouble zow, then of any other nation albeit twyſs as puiſſant, not lyeng dry marche with zow. Beſydes that ſe ſall not nede to feare the invaſion off any prince lackyng the commodite to invade zow by land, on our hand. Conſider quhat ſuperfluous charge ze beſtowe on the fortification and keeping of Barwick: quhilk ze may reduce to a mean ſowme, having ws to frendes. The realme of Ireland being of natour a gode and fertill countrey, by reaſon of the continewall unquietnes and lak of policey, ze knaw to be rather a burthen unto zow than great advantage; and giff it were peaceable may be very commodious. For pacification quhayroff, it is not unknowne to zow quhat ſervice we are abill to do. Refuſe not theyr commoditeys, beſides mony ma quhen they are offered. Quhilks albeit I ſtudy not to amplify and dilate yet is na other countrey able to offer zou the lyke, and are the rather to be embraced, for that zour aunceſtors, by all meanes, maiſt erneſtly ſuted our amity, and yet it was not theyr hap to come by it. The mater hes almaiſt carryed me beyond the boundes of a lattre, quharfor I will leave to trouble zow after I have given you this note. I wald wiſs that ze, and they that ar learned, ſould rede the twa former orations of Demoſthenes, called Olynthiacæ, and conſydere quhat counſall that wyſe oratour gave to the Athenians, his countrymen, in a lyke caſe; quhilk hes ſo great affinite with this cauſe of ours, that every word thereof myght be applyed to our purpos. There may ze learne of him quhat adviſe is to be followed, when zour nyghtbours hous is on fyre. Thus I bid zow heartily fareweill. From Sant Andrews, the 20th of January 1559.

No. III. (Vol. II. p. 21.)

Part of a letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April 1560.

An original in the Paper Office.

I WILL only, for this time, diſcharge myſelf of my promiſe to the earl of Huntley, who ſo deſyreth to be recommended to you, as one, who, with all his heart, favoureth this cauſe, to the uttermoſt of his power. Half the words that come out of his mouth were able to perſuade an unexperienced man to ſpeak farther in his behalf,

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half, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myself always measure my thoughts, as he shall deserve to be spoken of. With much difficulty, and great persuasion, he hath subscribed with the rest of the lords to join with them in this action; whatsomever he can invent to the furtherance of this cause, he hath promised to do with solemn protestation and many words; he trusteth to adjoin many to this cause; and saith surely that no man shall lie where he taketh part. He hath this day subscribed a bond between England and this nation; he saith, that there was never thing that liked him better.

No. IV. (Vol. II. p. 34.)

Randolph to Cecil, 10th August 1560. From Edinburgh.

SINCE the 29th of July, at what time I wrote last to your honour, I have heard of nothing worth the reporting. At this present it may please you to know, that the most part of the nobles are here arrived, as your honour shall receive their names in writing. The earl of Huntly excuseth himself by an infirmity in his leg. His lieutenant for this time is the lord of Lidington, chosen speaker of the parliament, or harangue-maker as these men term it. The first day of their sitting in parliament will be on Thursday next. Hitherto as many as have been present of the lords have communed and devised of certain heads then to be propounded, as, who shall be sent into France, who into England. It is much easier to find them than the other. It seemeth almost to be resolved upon that for England the master of Maxwell, and laird of Lidington. For France Pittarow and the justice clerk. Also they have consulted whom they think meetest to name for the XXIV. of the which the XII. councellors must be chosen. They intend very shortly to send away Dingwall the herald into France, with the names of those they shall chuse; and also to require the king and queen's consent unto this parliament. They have devised how to have the contract with England confirmed by authority of parliament; how also to have the articles of the agreement between them and their king and queen ratified. These

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Theſe things yet have only been had in communication. For the confirmation of the contract with England I have no doubt; for that I hear many men very well like the ſame, as the earl of Athol, the earl of Sutherland, the l. Glamis, who dined yeſterday with the l. James. The lord James requeſted me this preſent day to bring the contract unto him. I intend, alſo, this day, to ſpeak unto the l. Gray, in our l. Gray's name, for that he promiſed in my hearing to ſubſcribe, and then preſently would have done it, if the contract could have been had. For the more aſſurance againſt all inconvenients, I would, beſides that, that I truſt it ſhall be ratified in parliament, that every nobleman in Scotland had put his hand and ſet his ſeal, which may always remain as a notable monument, tho' the act of parliament be hereafter diſannulled. If it might, therefore, ſtand with your advice, that the lords might be written unto, now that they are here preſent, to that effect, or that I might receive from your hon^r, ſome earneſt charge to travel herein, I doubt not but it would ſerve to good purpoſe. If it might be alſo known with what ſubſtantial and effectious words or charge you deſire to have it confirmed, I think no great difficulty would be made. The earl marſhal has often been moved to ſubſcribe, he uſeth mo delays than men judged he would. His ſon told me yeſterday, that he would ſpeak with me at leiſure, ſo did alſo Drumlanrick; I know not to what purpoſe: I have cauſed l. James to be the earneſter with the l. Marſhal, for his authority's ſake, when of late it was in conſultation by what means it might be wrought, that the amity between theſe two realms might be perpetual; and among diverſe men's opinion, one ſaid that he knew of no other, but by making them both one, and that in hope of that mo things were done, than would otherwiſe have ever been granted; the earl of Argyll adviſed him earneſtly to ſtick unto that, that he had promiſed, that it ſhould paſs his power and all the crafty knaves of his counſel, (I am bold to uſe unto your h. his own words,) to break ſo godly a purpoſe. This talk liked well the aſſiſters, howſomever it pleaſed him to whom it was ſpoken unto. The barons, who in time paſt have been of the parliament, had yeſterday a convention among themſelves in the church, in very honeſt and quiet ſort; they thought it good to require to be reſtored unto their ancient liberty, to have voice

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voice in parliament. They presented that day a bill unto the lords to that effect, a copy whereof shall be sent as soon as it can be had. It was answered unto gently, and taken in good part. It was referred unto the lords of the articles, when they are chosen, to resolve thereupon.——*Here follows a long paragraph concerning the fortifications of Dunbar*, &c.——This present morning, *viz.* the 9th, I understood, that the lords intended to be at the parliament, which caused me somewhat to stay my letter, to see what I could hear or learn worth the reporting unto your hon^r. The lords, at ten of the clock, assembled themselves at the palace, where the duke lieth; from whence they departed towards the Tolbooth, as they were in dignity. Each one being set in his seat, in such order as your h. shall receive them in this scroll. The crown, the mace, the sword, were laid in the queen's seat. Silence being commanded, the l. of Lidington began his oration. He excused his insufficiency to occupy that place. He made a brief discourse of things past, and of what necessity men were forced unto for the defence of their country, what remedy and support it pleased God to send them in the time of their necessity, how much they were bound heartily to acknowledge it, and to require it. He took away the persuasion that was in many men's mind that lay back, that misdeemed other things to be meant than was attempted. He advised all estates to lay all particulars apart, and to bend themselves wholly to the true service of God and of their country. He willed them to remember in what state it had been of long time for lack of government, and exercise of justice. In the end, he exhorted them to mutual amity and hearty friendship, and to live with one another as members all of one body.——He prayed God long to maintain this peace and amity with all princes, especially betwixt the realms of England and Scotland, in the fear of God, and so ended. The clerk of register immediately stood up, and asked them to what matter they would proceed: it was thought necessary, that the articles of the peace should be confirmed with the common consent, for that it was thought necessary to send them away with speed into France, and to receive the ratification of them as soon as might be. The articles being read, were immediately agreed unto: a day was appointed to have certain of the nobles subscribe unto them, and to put to their seals, to be sent away by a herald,

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herald, who ſhall alſo bring the ratification again with him. The barons, of whom I have above written, required an anſwer to their requeſt; ſomewhat was ſaid, unto the contrary. The barons alledged for them cuſtom and authority. It was in the end reſolved, that there ſhould be choſen ſix to join with the lords of the articles, and that if they, after good adviſement, ſhould find it right and neceſſary for the commonwealth, it ſhould be ratified at this parliament for a perpetual law. The lords proceeded immediately hereupon, to the chuſing of the lords of the articles. The order is, that the lords ſpiritual chuſe the temporal, and the temporal the ſpiritual, and the burgeſſes their own. There were choſen as in this other paper I have written. This being done, the lords departed and accompanied the duke, all as far as the Bow, (which is the gate going out of the high ſtreet,) and many down into the palace where he lieth. The town all in armour, the trumpets ſounding, and other muſic ſuch as they have. Thus much I report unto your honour of that I did both hear and ſee. Other ſolemnities have not been uſed, ſaving in times long paſt the lords have had parliament robes, which are now with them wholly out of uſe.

THE names of as many earls and lords ſpiritual and temporal as are aſſembled at this parliament.

The duke of Chatelherault.

Earls.	Lords.	Lords ſpiritual.
Arran.	Erſkine.	St. Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindſey.	Athens.
Crawford.	Somerville.	The biſhop of Iſles.
Caſſils.	Cathcart.	Abbots and Priors, I
Marſhall.	Hume.	know not how many.
Morton.	Livingſton.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Caithneſs.	Ogilvy.	
Rothes.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	Gordon.	

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The Lords of the Articles.

Spiritual.	Temporal.	Barons elected to be of the Articles.
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle	Morton.	Pittarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provosts of the
Kinross.	Erskine.	chief towns, which
Kilwinning.	Boyd.	also are of the Ar-
	Lindsay.	ticles.

So that with the Subprior of St. Andrews, the whole is 36.

It were too long for me to rehearse particularly the dispositon, and chiefly the affections of these men, that are at this time chosen lord of the articles. May it satisfy your honr. for this time to know that, by the common opinion of men, there was not a substantialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to ensue. This present morning, viz. the 10th, the l. of Lidington made me privy unto your letter; he intendeth, as much as may be, to follow your advice. Some hard points there are. He himself is determined not to go into France. He allegeth many reasons, but speaketh least of that, that moveth him most, which is the example of the last, that went on a more grateful message than he shall carry, and stood on other terms with their prince than he doth, and yet your honour knoweth what the whole world judgeth.

Petition of the Lesser Barons to the Parliament, held Aug. 1560.

Inclosed in Randolph's letter to Cecil, 15th Aug. 1560.

My lords, unto your lordships, humbly means and shows, we the barons and freeholders of this realm, your brethren in Christ, That whereas the causes of true religion, and common well of this realm, are, in this present parliament, to be treated, ordered, and established, to

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to the glory of God, and maintenance of the commonwealth; and we being the greateſt number in proportion, where the ſaid cauſes concern, and has been, and yet are ready to bear the greateſt part of the charge thereuntil, as well in peace as in war, both with our bodies and with our goods; and ſeeing there is no place where we may do better ſervice now than in general councils and parliaments, in giving our beſt advice and reaſon, vote and councell for the furtherance thereof, for the maintenance of virtue and puniſhment of vice, as uſe and cuſtom had been of old by ancient acts of parliament obſerved in this realm; and whereby we underſtand that we ought to be heard to reaſon and vote in all cauſes concerning the commonwealth, as well in councils as in parliament; otherwiſe we think that whatſomever ordinances and ſtatutes be made concerning us and our eſtate, we not being required and ſuffered to reaſon and vote at the making thereof that the ſame ſhould not oblige us to ſtand thereto. Therefore it will pleaſe your lordſhips to take conſideration thereof, and of the charge born, and to be born by us, ſince we are willing to ſerve truly to the common well of this realm, after our eſtate, that ye will, in this preſent parliament, and all conſells, where the common well of the realm is to be treated, take our advice, counſell and vote, ſo that, without the ſame, your lordſhips would ſuffer nothing to be paſſed and concluded in parliament or councils aforeſaid; and that all acts of parliament made, in times paſt, concerning us for our place and eſtate, and in our favour, be at this preſent parliament confirmed, approved, and ratified, and act of parliament made thereupon. And your lordſhips anſwer humbly beſeeches.

Of the ſucceſs of this petition, the following account is giving by Randolph; Lett. to Cecil, 19 Aug. 1560. The matters concluded and paſt by common conſent on Saturday laſt, in ſuch ſolemn ſort as the firſt day that they aſſembled, are theſe: Eirſt, that the barons according to an old act of parliament, made in the time of James I. in the year of God 1427, ſhall have free voice in parliament, this act paſſed without any contradiction.

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No. V. (Vol. II. p. 45.)

A letter of Thomas Randolph, the Engliſh reſident, to the right worſhipful Sir William Cecil, knt. principal ſecretary to the queen's majeſty.

I HAVE received your honour's letters of the firſt of this month, written at Oſyes in Eſſex; and alſo a letter unto the lord James, from his kinſman St. Come out of France, in this they agree both that the queen of Scotland is nothing changed of her purpoſe in home coming. I aſſure your honour that will be a ſtout adventure for a ſick craſed woman, that may be doubted as well what may happen unto her upon the ſeas, as alſo how heartily ſhe may be received when ſhe cometh to land of a great number, who are utterly perſuaded that ſhe intendeth their utter ruin, come when ſhe will; the preparence is very ſmall whenſoever that ſhe arrive, ſcarcely any man can be perſuaded that ſhe hath any ſuch thought in her head. I have ſhown your honour's letter unto the lord James, lord Morton, lord Lidington; they wiſh, as your honour doth, that ſhe might be ſtayed yet for a ſpace, and if it were not for their obedience ſake, ſome of them care not tho' they never ſaw her face. They travel what they can to prevent the wicked devices of theſe miſchievous purpoſes of her miniſters, but I fear that that will always be found that filij hujus ſeculi, they do what they can to ſtand with the religion, and to maintain amity with their neighbours; they have alſo need to look unto themſelves, for their hazard is great, and that they ſee there is no remedy nor ſafety for themſelves, but to repoſe themſelves upon the queen's majeſty, our ſovereign's favour and ſupport. Friends abroad they have none, nor many in whom they may truſt at home. There are in mind ſhortly to try what they may be aſſured at of the queen's majeſty, and what they may aſſuredly perform of that they intend to offer for their parties. This the queen of Scotland above all other things doubteth; this ſhe ſeeketh by all means to prevent; and hath cauſed St. Come, in her name, earneſtly to write to charge him that no ſuch things be attempted before her coming home; for that it is ſaid, that they too already arrived here out of England for the purpoſe, what ſemblance ſomever the noblemen do make, that they are grieved

9 Aug. 1561. Cott. Lib. B. 10. fo. 32.

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grieved with their queen's refusal, that cometh far from their hearts. They intend to expostulate with me hereupon. I have my answer ready enough for them. If she thrust Englishmen all out of this country, I doubt not but there will be some of her own that will bear us some kindness. Of me she shall be quit, so soon as it pleaseth the queen's majesty, my mistress, no longer to use my service in this place. By such talk, as I have of late had with the lord James and lord of Lidington, I perceive that they are of mind that immediately of the next convention, I shall repair towards you with their determinations, and resolutions, in all purposes, wherein your honour's advice is earnestly required, and shortly looked for. Whatsomever I desire myself, I know my will ought to be subject unto the queen my sovereign's pleasure, but to content myself, would God I were so happy as to serve her majesty in as mean a state as ever poor gentleman did, to be quit of this place; not that I do in my heart wax weary of her majesty's service, but because my time and years require some place of more repose and quietness than I find in this country. I doubt also my insufficience when other troubles in this country arise, or ought shall be required of me to the advancement of her majesty's service, that either my will is not able to compass, or my credit sufficient to work to that effect, as perchance shall be looked for at my hands. As your honour hath been a means of my continuance in this room, so I trust that I shall find that continual favour at your hands, that so soon as it shall stand with the queen's majesty's pleasure, I may give this place unto some far worthier than I am myself, and in the mean season have my course directed by your good advice how I may by my contrivance do some such service as may be agreeable to her majesty's will and pleasure.

THESE few words, I am bold to write unto your honour of myself. For the rest, where that is wished that the lords will stoutly continue yet for one month, I assure your honour that there is yet nothing omitted of their old and accustomed manner of doing, and seeing that they have brought that unto this point, and should now prevail, they were unworthy of their lives.

I FIND not that they are purposed so to leave the matter. I doubt more her money than I do her fair words; and yet can I not conceive what great things can be wrought with forty thousand crowns, and treasure of her own

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own here I know there is no ſure or ready means to get it. The lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to ſatisfye your deſire, in knowledge of the preſent ſtate of things here. Whatſomever cometh of that, he findeth it ever beſt, that ſhe come not; but if ſhe do come, to let her know, at the firſt, what ſhe ſhall find, which is due obedience, and willing ſervice, if ſhe embrace Chriſt, and deſire to live in peace with her neighbours. By ſuch letters as you have laſt received, your honour ſomewhat underſtandeth of Mr. Knox himſelf, and alſo of others, what is determined, he himſelf to abide the uttermoſt, and other never to leave him until God have taken his life, and thus together with what comfort ſomever it will pleaſe you to give him by your letters, that the queen's majeſty doth not utterly condemn him, or at the leaſt in that point, that he is ſo ſore charged with by his own queen, that her majeſty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others: his daily prayer is for the maintenance of unity with England, and that God will never ſuffer men to be ſo ungrate, as by any perſuaſion to run headlong unto the deſtruction of them that have ſaved their lives, and reſtored their country to liberty. I leave farther, at this time, to trouble your honour, deſiring God to ſend ſuch an amity between theſe two realms that God may be glorified to them of this world.—At Edenbourgh the 9th of Auguſt 1561.

No. VI. (Vol. II. p. 55.)

A letter of Queen Elizabeth to Queen Mary[a].

To the right excellent, right high, and mighty princeſſe, our right dear and well-beloved ſiſter and couſin the queen of Scotland.

RIGHT excellent, right high, and mighty princeſſe, our right dear and right well-beloved ſiſter and couſin, we greet you well. The lord of St. Coſme brought to us your letters, dated the 8th of this preſent at Abbeville, whereby ye ſignify, that although by the anſwer brought to you by monſieur Doyzell, ye might have had

16th of Aug. 1561. Paper-office, from a copy.

[a] This is the complete paper of which that induſtrious and impartial collector, biſhop Keith, has publiſhed a fragment, from what he calls his ſhattered MS. 154. note (a) 181.

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occaſion to have entered into ſome doubt of our amity, yet after certain purpoſes paſſed betwixt you and our ambaſſador, you would aſſure us of your good meaning to live with us in amity, and for your purpoſe therein ye require us to give credit to the ſaid St. Coſme. We have thereunto thought good to anſwer as followeth: The ſame St. Coſme hath made like declaration unto us on your part, for your excuſe in not ratifying the treaty, as yourſelf made to our ambaſſador, and we have briefly anſwered to every the ſame points, as he can ſhew you: and if he ſhall not ſo do, yet leaſt in the mean ſeaſon you might be induced to think that your reaſons has ſatisfied us, ſomerally we aſſure you, that to our requeſts your anſwer cannot be reputed for a ſatisfaction. For we require no benefit of you, but that you will perform your promiſe whereunto you are bound by your ſeal and your hand, for the refuſal whereof we ſee no reaſon alledged can ſerve. Neither covet we any thing, but that which is in your own power as queen of Scotland, that which yourſelf in words and ſpeech doth confeſs, that which your late huſband's our good brother's ambaſſadors and you concluded, that which your own nobility and people were made privy unto, that which indeed made peace and quietneſs betwixt us, yea that without which no perfect amity can continue betwixt us, as if it be indifferently weighed, we doubt not but ye will perceive, allow, and accompliſh. Nevertheleſs, perceiving, by the report of the bringer, that you mean furthwith upon your coming home, to follow herein the advice of your council in Scotland, we are content to ſuſpend our conceipt of all unkindneſs, and do aſſure you that we be fully reſolved, upon this being performed, to unite a ſure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as aſſuredly in the knot of friendſhip, as we be in the knot of nature and blood. And herein we be ſo earneſtly determined, that the world ſhould ſee if the contrary ſhould follow (which God forbid) the very occaſion to be in you and not in us; as the ſtory witneſſeth the like of the king your father, our uncle, with whom our father ſought to have knitt a perpetual bond by inviting to come in this realm to York, of which matter we know there remain with us, and we think with you, ſundry witneſſes of our father's earneſt good meaning, and of the error whereunto divers evil councillors induced your father; or finally where it ſeemeth that

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report hath been made unto you, that we had ſent our admiral to the ſeas with our navy to empeache your paſſage, both your ſervants do well underſtand how falſe that is, knowing for a truth that we have not any more than two or three ſmall barks upon the ſeas, to apprehend certain pirates, being thereto entreated, and almoſt compelled, by the earneſt complaint of the ambaſſador of our good brother the king of Spain, made of certain Scottiſhmen haunting our ſeas as pirates, under pretence of letters of marque, of which matter alſo we earneſtly require you, at your coming to your realme, to have ſome good conſideration, and the rather for reſpect that ought to be betwixt your realme and the countries of us, of France, of Spain, and of the houſe of Burgundy. And ſo, right excellent, right high, and mighty princeſs, we recommend us to you with moſt earneſt requeſt, not to neglect theſe our friendly and ſiſterly offers of friendſhip, which, before God, we mean and intend to accompliſh. Given under our ſignet at Henyngham the 16th of Auguſt, in the third year of our reign.

No. VII. (Vol. II. p. 89.)

A letter of Randolph to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty.

15th of May, 1563. Paper-office, from the original.

OF late, until the arrival of monſieur Le Croch, I had nothing worth the writing unto your honour.—Before his coming we had ſo little to hint upon that we did nothing but paſs our time in feaſts, banquetting, maſking, and running at the ring, and ſuch like. He brought with him ſuch a number of letters, and ſuch abundance of news, that, for the ſpace of three days, we gave ourſelves to nothing elſe but to reading of writings, and hearing of tales, many ſo truly reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the moſt aſſured, I ſend this unto your honour as an undoubted truth, which is, that the cardinal of Lorraine, at his being with the emperor, moved a marriage between his youngeſt ſon, the duke of Aſtruche, and this queen; wherein he hath ſo far travailed, that it hath already come unto this point, that if ſhe find it good, the ſaid duke will out of hand ſend

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hither his ambaſſador, and farther proceed to the conſummation hereof, with as convenient ſpeed as may be; and to the intent her mind may be the better known, Le Croch is ſent unto her with this meſſage from the cardinal, who hath promiſed unto the emperor, to have word again before the end of May; and for this cauſe Le Croch is ready for his departure, and his letters writing both day and night. This queen being before advertized of his towardneſs, by many means hath ſought far off, to know my lord of Murray's mind herein, but would never ſo plainly deal with him, that he could learn what her meaning is, or how ſhe is bent. She uſeth no man's council, but only this man's that laſt arrived, and aſſuredly until the l. of Lidington's return, ſhe will do what ſhe can to keep that ſecret; and becauſe reſolution in his abſence cannot be taken, ſhe will, for this time, return Le Croch with requeſt, to have longer time to deviſe; and after, with the moſt ſpeed ſhe can, ſhe fully purpoſeth to advertiſe him, I mean, her uncle the cardinal, of her mind. Of this matter the l. of Lidington is made privy. I know not whether by ſome intelligence that he had before his departure, or ſince his arrival in France, divers letters have paſſed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to ſome, as much as was written in ſypher is kept unto themſelves. Whether alſo the l. of Lidington hath had conferrence with the Spaniſh ambaſſador in England of this matter or any like, I leave it unto your honour's good means to get true knowledge thereof. Gueſſes or ſurmizes in ſo grave matters, I would be loth to write for verities. This alſo your honour may take for truth, that the emperor hath offered with his ſon, for this queen's dower, the county of Tyroll, which is ſaid to be worth 30,000 franks by year. Of this matter alſo the rhingrave wrote a letter unto this queen, out of France not long ſince. This is all that preſently I can write unto your honour hereof; as I can come by farther knowledge, your honour ſhall be informed.

I HAVE received your honour's writings by the Scottiſh man that laſt came into theſe parts; he brought alſo letters unto this queen from the l. of Lidington; their date was old, and contained only the news of France. I perceive divers ways, that Newhaven is ſorre cloſed, but I am not ſo ignorant of their nature, but that I know they

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they will ſay as much as they dare do, I will not ſay as the proverb doth, 'canis timidus fortius latrat.' From hence I do aſſure them, what means ſomever they make, or how pitiful ſomever their mone be, they are like to receive but ſmall comfort for all their long allie. We ſtand daily in doubt what friendſhip we ſhall need ourſelf, except we put better order into our miſruled papiſts than yet we do, or know how to bring to paſs that we may be void of their comber.

To-MORROW, the 15th of this inſtant, the queen departeth of this town, towards Edenborough. If my hap be good, you ſhall thoroughly hear ſome merry tidings of the bp. of St. Andrews; upon Wedneſday next he ſhall be arreigned, and five other prieſts, for their maſſing at Eaſter laſt. Thus moſt humbly I take my leave; at St. Andrews the 15th of May, 1563.

No. VIII. (Vol. II. p. 99.)

Letter of Randolph to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty.

MAY it pleaſe your honour, the 7th of this inſtant, Rowlet, this queen's ſecretary, arrived here; he reporteth very honeſtly of his good uſage, he brought with him many letters unto the queen that came out of France, full of lamentation and ſorrow. She received from the queen mother two letters, the one contained only the rehearſal of her griefs, the other ſignify the ſtate of France as then it was, as in what ſort things were accorded, and what farther was intended for the appeaſing of the diſcords there, not miſtruſting but that if reaſon could not be had at the queen of England's hands, but that the realm of France ſhould find her ready and willing to ſupport and defend the right thereof, as by friendſhip and old alliance between the two realms ſhe is bound.

10th of April, 1563. Paper-office, from the original in his own hand.

How well theſe words do agree with her doings your honour can well conſider, and by her writings in this ſort unto this queen, (which I aſſure your honour is true,) you may aſſuredly know, that nothing ſhall be left undone

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of her part, that may move debate or controverſie between this queen and our ſovereign.

It was much muſed by the queen herſelf, how this new kindneſs came about, that at this time ſhe received two long letters written all with her own hand, ſaying, all the time ſince her return ſhe never received half ſo many lines as were in one of the letters, which I can myſelf teſtify by the queen's own ſaying, and other good aſſurance, where hitherto I have not been deceived. I can alſo farther aſſure your honour, that this queen hath ſayed that ſhe knoweth now, that the friendſhip of the queen's majeſty my ſovereign may ſtand her more in ſtead, than that of her good mother in France, and as ſhe is deſirous of them both, ſo will ſhe not loſe the one for the other. I may alſo farther aſſure your honour, that whatſomever the occaſion is, this queen hath ſomewhat in her heart that will burſt out in time, which will manifeſt that ſome unkindneſs hath paſſed between them, that will not be eaſy forgotten. In talk ſometimes with myſelf, ſhe ſaith that the queen mother might have uſed the matter otherwiſe than ſhe hath done, and doth much doubt what ſhall be the ſucceſs of her great deſire to govern alone, in all things to have her will. Seeing then that preſently they ſtand in ſuch terms one with the other, I tho't it better to confirm her in that mind, (this queen I mean,) than to ſpeak any word that might cauſe her to conceive better of the other. And yet I am aſſured ſhe ſhall receive as friendly letters, and as many good words from this queen, as the other did write unto her. Whether the queen mother will ſpeak any thing unto the l. of Lidington of that purpoſe ſhe did write unto this queen of, I know not; but if ſhe do, I think it hard if your honour can get no favour thereof, at his return, or I perchance by ſome means here. It may perchance be written only by that queen, to try what anſwer this queen will give, or underſtand what mind ſhe beareth unto the queen's majeſty our ſovereign. The queen knoweth now that the earl Bothwell is ſent for to London. She cauſed a gentleman of hers to enquire the cauſe; I anſwered that I knew none other, but that his takers were in controverſy who took him, and that it ſhould be judged there. I know that ſhe thinketh much that he is not ſent into Scotland. It is yet greatly doubted that if he were here, he would be reſerved for an evil inſtrument. If the

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the lord of Lidington have not been plain with your honour herein, he is in the wrong to thoſe who are his friends here, but moſt of all to himſelf. There comes a vulture in this realm, if ever that man come again into credit.

No. IX. (Vol. II. p. 107.)

The oration made by William Maitland of Lethington, younger ſecretary for the time, in the parliament holden by our ſovereign the king's mother, queen of this realm for the time, the time of the reſtitution of Umquile Matthew earl of Lenox.

MY lords, and others here convened. Albeit, be that it has pleaſed her majeſty moſt graciouſly to utter unto you, by her own mouth, ye may have ſufficiently conceived the cauſe of this your preſent aſſembly; yet having her majeſty's commandment to ſupply my lord chancellor's place, being preſently as ye ſee deceaſed, I am willed to expreſs the ſame ſomewhat more at large.

NOTOUR it is, how, in her highneſs's minority, a proceſs of forfaltour was decreed againſt my lord of Lennox, for certain offences alledged committed by him; ſpecified in the dome and cenſement of parliament given thereupon; by reaſon whereof he has this long time been exiled, and abſent forth of his native country; how grevious the ſame has been unto him, it has well appeared by divers his ſuites, ſundry ways brought unto her majeſty's knowledge, not only containing moſt humble and due ſubmiſſion, but always bearing witneſs of his good devotion to her majeſty, his natural princeſs, and earneſt affection he had to her highneſs moſt humble ſervice, if it ſhould pleaſe her majeſty of her clemency to make him able to enjoy the benefit of a ſubject; many reſpects might have moved her highneſs favourably to incline to his requeſt, as the anciency of his houſe, and the firname he bears, the honour he has to appertain to her majeſty by affinity, by reaſon of my lady Margaret her highneſs's aunt, and divers other his good conſiderations, as alſo the affectuous requeſt of her good ſiſter the

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queen's majeſty of England, whoſe earneſt commendation was not of leaſt moment, beſides that of her own natural, her majeſty has a certain inclination to pity the decay of noble houſes, and as we heard, by her own report, has a great deal more pleaſure to be the inſtrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter miniſtred of the decay or overthrow of any good race. Upon this occaſion, her majeſty the more tenderly looked upon his requeſt, and her good ſiſter the queen of England's favourable letter, written for recommendation of his cauſe, in conſideration whereof not only has ſhe granted unto him her letter of reſtitution, by way of grace, but alſo licenſed him to purſue, by way of reduction, the remedies provided by the law for ſuch as think themſelves grieved by any judgment, unorderly led, and to have the proceſs reverſed; for examination whereof, it has pleaſed her majeſty preſently to aſſemble you the three eſtates of this her realme, by whoſe advice, deliberation, and deciſion at her majeſty's mind, to proceed forward upon his complaints, as the merits of the cauſe, laws of the realm, and practice obſerved in ſuch caſes, will bear out. The ſum of all your proceedings at this time, being by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occaſion to ſay a few more words, not far different from the ſame ſubject, wherein I would extend the circumſtances more largely. If I feared not to offend her highneſs, whoſe preſence and modeſt nature abhors long ſpeaking and adulation, and ſo will compel me to ſpeak ſuch things, as may ſeem to tend to any good and perfect point; and leſt it ſhould be compted to me, as that I were oblivious, if I ſhould omit to put you in remembrance, in what part we may accept this, and the like demonſtrations of her gentill nature; whoſe graciqus behaviour towards all her ſubjects, in general, may ſerve for a good proof of that felicity, we may look for under her happy government ſo long as it ſhall pleaſe God to grant her unto us; for a good harmony to be had in the common weill, the offices between the prince and the ſubjects muſt be reciproque; as by her majeſty's prudence we enjoy this preſent peace with all foreign nations, and quietneſs among yourſelves, in ſuch ſort, that I think juſtly it may be affirmed Scotland, in no man's age, that preſently lives, was in greater tran-

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tranquillity; so is it the duty of all us her loving subjects to acknowledge the same as a most high benefit, proceeding from the good government of her majesty, declaring ourselves thankful for the same, and rendering to her majesty such due obedience, as a just prince may look for at the hands of faithful and obedient subjects. I mean no forced nor unwilling obedience, which I know her nature does detest, but such as proceeds from the contemplation of her modest kind of regiment, will for love and duty sake produce the fruits thereof. A good proof have we all in general had of her majesty's benignity these three years, that she has lived in the government over you, and many of you have largely tasted of her large liberality and frank dealing; on the other part her highness has had large appearance of your dutiful obedience, so it becomes you to continue,, as we have begun, in consideration of the many notable examples of her clemency above others her good qualities, and to abhor and detest all false bruites and rumours, which are the most pestilent evils that can be, in any common weil, and the sowers and inventors thereof. Then may we be well assured to have of her an most gracious princesse, and she most faithful and loving subjects; and so both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I made mention before, as the glory thereof shall partly appertain to her majesty, so shall no small praise and unspeakable commodity redound therethrough to you all universally her subjects.

No X. (Vol. II. p. 118.)

The perils and troubles that may presently ensue, and in time to come follow, to the queen's majesty of England and state of this realm, upon the marriage of the queen of Scots to the lord Darley.

FIRST, the minds of such as be affected to the queen of Scotts, either for herself or for the opinion of her pretence to this crown, or for the desire to have change of the forme of religion in this realm, or for the discontentation they have of the queen's majesty, or her succession, or of the succession of any other beside the queen

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queen of Scotts, ſhall be, by this marriage erected, comforted, and induced to deviſe and labour how to bring their deſires to paſs; and to make ſome eſtimate what perſons thoſe are, to the intent the quantity of the danger may be weighed; the ſame may be compaſſed in thoſe ſorts either within the realm or without.

THE firſt are ſuch as are ſpecially devoted to the queen of Scotts, or to the lord Darley, by bond of blood and alliance; as firſt, all the houſe of Lorrain and Guiſe for her part, and the earl of Lennox and his wife, all ſuch in Scotland as be of their blood, and have received diſpleaſures by the duke of Chatelherault and the Hamiltons. The ſecond are all manner of perſons, both in this realm and other countries, that are devoted to the authority of Rome, and miſlike of the religion now received; and in theſe two ſorts are the ſubſtance of them comprehended, that ſhall take comfort in this marriage.

NEXT therefore to be conſidered what perils and troubles theſe kind of men ſhall intend to this realm.

FIRST, the general ſcope and mark of all their deſires is, and always ſhall be, to bring the queen of Scotts to have the royal crown of this realm; and therefore, though the deviſees may vary among themſelves for the compaſſing hereof, according to the accidents of the times, and according to the impediments which they ſhall find by means of the queen's majeſty's actions and governments, yet all their purpoſes, drifts, deviſes, and practices, ſhall wholly and only tend to make the queen of Scotts queen of this realm, and to deprive our ſovereign lady thereof; and in their proceedings, there are two manners to be conſidered, whereof the one is far worſe than the other; the one is intended by them, that either from malicious blindneſs in religion, or for natural affection to the queen of Scotts, or the lord Darley, do perſuade themſelves that the ſaid queen of Scotts hath preſently more right to the crown than our ſovereign lady the queen, of which ſort be all their kindred on both ſides, and all ſuch as are devoted to popery, either in England, Scotland, Ireland, or elſewhere; the other is meant by them, which, with leſs malice are perſuaded that the queen of Scotts hath only right to be the next heir to ſucceed the queen's majeſty and her iſſue, of which ſort few are without the realm, but here within, and yet of them, not ſo many as are of the contrary, and from theſe two ſorts ſhall the peril, deviſes,

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vises, and practices proceed. From the first, which imagine the queen of Scotts to have perpetually right are to be looked for these perils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them, although it is to be assuredly hoped, that Almighty God will, as he hath hitherto, graciously protect and preserve her from such dangers? Secondly, there will be attempted, by persuasions, by bruites, by rumours, and such like, to alienate the minds of good subjects from the queen's majesty, and to counciliate them to the queen of Scotts, and on this behalf the frontiers and the north will be much solicited and laboured. Thirdly, there will be attempted causes of some tumults and rebellions, especially in the north toward Scotland, so as thereupon may follow some open enterprise set by violence. Fourthly, there will be, by the said queen's council and friends, a new league made with France, or Spain, that shall be offensive to this realm, and a furtherance to their title. And as it is also very likely, that they will set a foot as many practices as they can, both upon the frontiers and in Ireland, to occasion the queen's majesty to increase and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all these things, many devises will be imagined from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the queen of Scotts, but that she should succeed in title to the queen's majesty, is not much to be feared, but that they will content themselves to see not only the queen's majesty not to marry, and so to impeach it, but to hope, that the queen of Scotts shall have issue, which they will think to be more pleasable to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which persuasion many people may be seduced, and abused to incline themselves to the part of the queen of Scotts.

The remedies against these perils.

A Du-

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A Duplicat.

4th of June 1565. Cott. Lib. Cal. B. 10. fol. 290.

A ſummary of the conſultation and advice given by the lords and others of the privy council. Collected out of the ſundry and ſeveral ſpeeches of the ſaid counſellors.

Lord Keeper,
Lord Treaſurer,
Earls of { Derby, Bedford, Leiceſter,
Lord Admiral,
Lord Chamberlain,
Mr. Comptroller,
Mr. Vice Chamberlain,
Mr. Secretary,
Cave,
Peter,
Maſon.

Queſtions propounded were theſe two.

1. FIRST, what perils might enſue to the queen's majeſty, or this realm, of the marriage betwixt the queen of Scots, and the lord Darnley.

2. WHAT were meet to be done, to avoid or remedy the ſame.

To the Firſt.

THE perils being ſundry, and very many, were reduced by ſome counſellors into only one.

1. FIRST, That by this marriage, the queen of Scotts, (being not married,) a great number in this realm not of the worſt ſubjects might be alienated in their minds from their natural duties to her majeſty, to depend upon the ſucceſs of this marriage of Scotland, as a mean to eſtabliſh the ſucceſſion of both the crowns in the iſſue of the ſame marriage, and ſo favour all deviſes and practices, that ſhould tend to the advancement of the queen of Scotts.

2. SECONDLY, That conſidering the chief foundation of them, which furthered the marriage of lord Darnley, was laid upon the truſt of ſuch as were papiſts, as the only means left to reſtore the religion of Rome, it was plainly to be ſeen, that both in this realm and Scotland, the papiſts would moſt favour, maintain, and fortify this marriage of the lord Darnley, and would, for furtherance of faction in religion, deviſe all means and practices that could

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could be within this realm, to disturb the estate of the queen's majesty, and the peace of the realm, and consequently to atchieve their purposes by force rather than fail. By some other, these perils having indeed many branches, were reduced, though somewhat otherwise, into two sorts, and these were in nature such as they could not be easily severed the one from the other, but were knit and lincked together, naturally for maintaining the one with the other. The first of these sort of perils was, that, by this marriage with the lord Darnley, there was a plain intention to further the pretended title of the queen of Scotts, not only to succeed the queen's majesty, as in her best amity she had professed, but that to occupy the queen's estate, as when she was in power, she did manifestly declare.

The second was, that hereby the Romish religion should be erected, and increased daily in this realm, and these two were thus knit together, that the furtherance and maintenance of the title staid, in furthering of the religion of Rome within this realm; and in like manner the furtherance of the same religion stood by the title, for otherwise the title had no foundation.

Proves of the first.) And to prove that the intention to advance the title to disturb the queen's majesty, must needs ensue, was considered that always the intention and will of any person is most manifest, when their power is greatest, and contrary when power is small, than the intention and will of every person is covered and less seen. So as when the queen of Scotts power was greatest, by her marriage with the dauphin of France, being afterwards French king, it manifestly appeared of what mind she and all her friends were, using then manifestly all the means that could be devised to impeach and dispossess the queen's majesty, first by writing and publishing her self in all countries queen of England; by granting charters patents, and commissions, with that style, and with the arms of England, both the French and Scotts, which charters remain still undefaced; and to prosecute it with effect, it is known what preparations of war were made, and sent into Scotland; and what other forces were assembled in foreign countries; yea, in what manner a shameful peace was made by the French with king Philip to employ all the forces of France to pursue all the matters by force, which by God's providence and the queen's ma-

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jeſty contrary power, were repelled; and afterwards, by her huſband's death, her fortune and power being changed, the intention began to hide itſelf, and although by the Scottiſh queen's commiſſaries an accord was made at Edenbrough, to reform all thoſe titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty has been deferred. And ſo now, as ſoon as ſhe ſhall feel her power, ſhe will ſet the ſame again abroad, and by conſidering of ſuch errors as were committed in the firſt, her friends and allies will amend the ſame, and proceed ſubſtantially to her purpoſe. By ſome it was thought plainly, that the peril was greater of this marriage with the lord Darnley, being a ſubject of this realm, than with the mightieſt prince abroad, for by this, he being of this realm, and having for the cauſe of religion, and other reſpects, made a party here, ſhould encreaſe by force with diminution of the power of the realm; in that whatſoever power he could make by the faction of the papiſt, and other diſcontented perſons here, ſhould be as it were deducted out of the power of this realm; and by the marriage of a ſtranger, ſhe could not be aſſured of any part here; ſo as by this marriage ſhe ſhould have a portion of her own power to ſerve her turn, and a ſmall portion of adverſaries at home in our own bowels, always ſeem more dangerous than treble the like abroad, whereof the examples are in our own ſtories many, that foreign powers never prevailed in this realm, but with the help of ſome at home. It was alſo remembered, that ſeeing how before this attempt of marriage, it is found, and manifeſtly ſeen, that in every corner of the realm, the faction that moſt favoureth the Scottiſh title, is grown ſtout and bold, yea ſeen manifeſtly in this court, both in hall and chamber, it could not be but (except good heed were ſpeedily given to it) by this marriage, and by the practice of the fautors thereof, the ſame faction would ſhortly encreaſe, and grow ſo great and dangerous, as the redreſs thereof would be almoſt deſperate. And to this purpoſe it was remembered, how of late in peruſing of the ſubſtance of the juſtices of the peace, in all the countries of the realm, ſcantly a third was found fully aſſured to be truſted in the matter of religion, upon which only ſtring the queen of Scotts title doth hang, and ſome doubt might be, that the friends of the earl of Lennox, and his had more knowledge hereof than was thought, and thereby

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thereby made avant now in Scotland, and their party was ſo great in England as the queen's majeſty durſt not attempt to contrary his marriage. And in this ſort, was the ſum of the perils declared, being notwithſtanding more largely and plainly ſet out, and made ſo apparent by many ſure arguments, as no one of the council could deny them to be but many and very dangerous.

Second Queſtion.

THE queſtion of this conſultation was what were meet to be done to avoid theſe perills, or elſe to divert the force thereof from hurting the realm; wherein there were a great number of particular deviſes propounded, and yet the more part of them was reduced by ſome into three heads.

1. THE firſt thought neceſſary by all perſons, as the only thing of the moſt moment and efficacy, to remedy all theſe perills, and many others, and ſuch as without it, no other remedy could be found ſufficient, and that was to obtain that the queen's majeſty would marry, and make therein no long delay.

2. THE ſecond was, to advance, eſtabliſh, and fortify indeed the profeſſion of religion, both in Scotland and in England, and to deminiſh, weaken, and feeble the contrary.

3. THE third was, to proceed in ſundry things, either to diſappoint and break this intended marriage, or, at the leaſt, thereby to procure the ſame not to be ſo hurtful to this realm, as otherwiſe it will be.

THE firſt of theſe three hath no particular rights in it, but an earneſt and unfeigned deſire and ſuite, with all humbleneſs, by prayer to Almighty God, and advice and council to the queen's majeſty, that ſhe would defer no more time from marriage, whereby the good ſubjects of the realm might ſtay their hearts, to depend upon her majeſty, and the iſſue of her body, without which no ſurety can be deviſed to aſcertain any perſon of continuance of their families or poſterities, to enjoy that which otherwiſe ſhould come to them.

SECOND, concerning the matters of religion, wherein both truth and policy were joined together, had theſe particulars.

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FIRST, whereas of late the adverſaries of religion, in the realm, have taken occaſion to comfort and increaſe their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion ſhall be ſhortly changed in this realm, by means that the biſhops, by the queen's majeſty's commandment, have of late dealt ſtreightly with ſome perſons of good religion, becauſe they had forborn to wear certain apparel, and ſuch like things; being more of form and accidents, than of any ſubſtance, for that it is well known that her majeſty had no meaning to comfort the adverſaries, but only to maintain an uniformity as well in things external, as in the ſubſtance, nor yet hath any intention to make any change of the religion, as it is eſtabliſhed by laws. It was thought by all men very neceſſary, for the ſuppreſſing of the pride and arrogancy of the adverſaries, indirectly hereby to notify, by her ſpecial letters to the two archbiſhops, that her former commandment was only to retain an uniformity, and not to give any occaſion to any perſon to misjudge of her majeſty, in the change of any part of religion, but that ſhe did determine firmly to maintain the form of her religion, as it was eſtabliſhed, and to puniſh ſuch as did therein violate her laws. And in theſe points, ſome alſo wiſhed that it might pleaſe her archbiſhops, that if they ſhould ſee that the adverſaries continued in taking occaſion to fortify their faction, that in that caſe they ſhould uſe a moderation therein, until the next parliament, at which time, ſome good, uniform, and decent order might be deviſed, and eſtabliſhed, for ſuch ceremonies, ſo as both uniformity and gravity might be retained amongſt the clergy.

THE ſecond means was, that the quondam biſhops, and others, which had refuſed to acknowledge the queen's majeſty's power over them, according to the law, and were of late diſperſed in the plague time to ſundry places abroad, where it is known they ceaſe not to advance their faction, might be returned to the tower, or ſome other priſon, where they might not have ſuch liberty to ſeduce and inveigle the queen's majeſty's ſubjects, as they daily do.

THE third means was, that where the biſhops do complain that they dare not execute the eccleſiaſtical laws, to the furtherance of religion, for fear of the premunire wherewith the judges and lawyers of the realm, being not beſt

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beſt affected in religion, do threaten them, and in many caſes lett not to pinch and deface them, that upon ſuch caſes opened, ſome convenient authority might be given them, from the queen's majeſty, to continue during her pleaſure.

THE fourth was, that there were daily lewd, injudicious, and unlawful books in Engliſh brought from beyond ſeas, and are boldly received, read, and kept, and eſpecially in the North, ſeducing of great numbers of good ſubjects, the like boldneſs whereof was never ſuffered in any other princeſs's time, that ſome ſtreight order might be given to avoid the ſame, and that it might be conſidered by the judges, what manner of crime the ſame is, to maintain ſuch books, made directly againſt her majeſty's authority, and maintaining a foreign power, contrary to the laws of the realm.

THE fifth was, that where a great number of monks, fryars, and ſuch lewd perſons, are fled out of Scotland, and do ſerve in England, eſpecially in the North, as curates of churches, and all ſuch of them as are not found honeſt and conformable, may be baniſhed out of the realm, for that it appeareth they do ſow ſedition in the realm, in many places, and now will increaſe their doings.

THE ſixth, where ſundry having eccleſiaſtical livings, are on the other ſide the ſea, and from thence maintain ſedition in the realm; that livings may be better beſtowed to the commodity of the realm, upon good ſubjects.

THE ſeventh is, that the judges of the realm, having no ſmall authority in this realm, in governance of all property of the realm, might be ſworn to the queen's majeſty, according to the laws of the realm, and ſo thereby they ſhould for conſcience ſake maintain the queen's majeſty's authority.

THE particulars of the third intention to break and avoid this marriage, or to divert the perils.

FIRST to break this marriage, conſidering nothing can likely do it, but force, or fear of force, it is thought by ſome that theſe means following might occaſion the breach of the marriage.

1. THAT the earl of Bedford repair to his charge.
2. THAT the works at Berwick be more advanced.
3. THAT the garriſon be there increaſed.

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4. That all the wardens put their frontiers in order with ſpeed, to be ready at an hour's warning.

5. That ſome noble perſon, as the duke of Norfolk, or the earl of Salop, or ſuch other, be ſent into Yorkſhire, to be lieutenant-general in the North.

6. That preparations be made of a power, to be in readineſs to ſerve, either at Berwick, or to invade Scotland.

7. That preſently Lady Lennox be committed to ſome place, where ſhe may be kept from giving or receiving of intelligence.

9. That the earl of Lennox and his ſon may be ſent for, and required to be ſent home by the queen of Scotts, according to the treaty; and if they ſhall not come, then to denounce to the queen of Scotts the breach of the treaty, and thereupon to enter with hoſtility; by which proceeding, hope is conceived (ſo the ſame be done in deeds and not in ſhews) that the marriage will be avoided, or at the leaſt that it may be qualified from many perils; and whatſoever is to be done herein, is to be executed with ſpeed, whilſt ſhe has a party in Scotland that favoureth not the marriage, and before any league made by the queen of Scotts with France or Spain.

Some other allows well of all theſe proceedings, ſaving of proceeding to hoſtility, but all do agree in the reſt, and alſo to theſe particularities following.

10. That the earl's lands upon his refuſal, or his ſon's refuſing, ſhould be ſeized, and beſtowed in gift or cuſtody, as ſhall pleaſe her majeſty, upon good ſubjects.

11. That all manifeſt favourers of the earl, in the North, or elſewhere, be inquired for, and that they be, by ſundry means, well looked to.

12. That enquiry be made in the North, who have the ſtewardſhip of the queen's majeſty's lands there, and that no perſon, deſerving miſtruſt, be ſuffered to have governance or rule of any of her ſubjects or lands in the North, but only to retain their fees, and more truſty perſon have rule of the ſame people's lands.

13. That all frequent paſſages into this realm, to and from Scotland, be reſtrained to all Scottiſh men, ſaving ſuch as have ſafe-conduct, or be eſpecially recommended from Mr. Randolph, as favourers of the realm.

14. That ſome intelligence be uſed with ſuch in Scot-

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Scotland, as favour not the marriage, and they comforted from time to time.

15. THAT the queen's majesty's household, chamber, and pensioners, be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

16. THAT the younger son of the earl of Lennox, Mr. Charles, be removed to some place where he may be forth coming.

17. THAT considering the faction and title of the queen of Scotts hath now of long time received great favour, and continued, by the queen's majesty's favour herein to the queen of Scotts and her ministers, and the lady Catharine, whom the said queen of Scotts accompted as a competitor unto her in pretence of title, it may please the queen's majesty, by some exterior act, to shew some remission of her displeasure to the lady, and to the earl of Hartford, that the queen of Scotts thereby may find some change, and her friends put in doubt of further proceeding therein.

18. THAT whosoever shall be lieutenant in the North, sir Ralph Sadler may accompany him.

19. THAT with speed the realm of Ireland may be committed to a new governor.

20. FINALLY, that these advices being considered by her majesty, it may please her to choose which of them she liketh, and to put them in execution in deeds, and not to pass them over in consultations and speeches.

FOR it is to be assured, that her adversaries will use all means to put their intention in execution. Some by practice, some by force, when time shall serve, and no time can serve so well the queen's majesty to interrupt the perils, as now at the first, before the queen of Scotts purposes be fully settled.

No. XI. (Vol. II. p. 129.)

Randolph to the earl of Leicester, from Edinburgh the 31st of July 1565.

MAY it please your lordship, I have received your lordship's letter by my servant, sufficient testimony of your lordship's favour towards me, whereof I think myself

Cott. Lib. Cal. b. ix. fol. 216. An original.

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myſelf always ſo aſſured, that what other miſhap ſoever befal me, I have enough to comfort myſelf with; though I have not at this time received neither according to the need I ſtand, nor the neceſſity of the ſervice that I am employed in, I will rather paſs it, as I may with patience, than trouble your lordſhip to be further ſuiter for me, when there is ſo little hope that any good will be done for me. I doubt not but your lordſhip hath heard by ſuch information as I have given from hence, what the preſent ſtate of this country is, how this queen is now become a married wife, and her huſband, the ſelf-ſame day of his marriage, made a king. In their deſires, hitherto, they have found ſo much to their contentment, that if the reſt ſucceed and proſper accordingly, they may think themſelves much happier, than there is appearance that they ſhall be; ſo many diſcontented minds, ſo much miſliking of the ſubjects to have theſe matters thus ordered, and in this ſort to be brought to paſs I never heard of any marriage; ſo little hope, ſo little comfort as men do talk was never ſeen, at any time, when men ſhould moſt have ſhewed themſelves to rejoice, if that conſideration of her own honour and well of her country had been had as appertained in ſo weighty a caſe. This is now their fear, the overthrow of religion, the breach of amitie with the queen's majeſty, and the deſtruction of as many of the nobility as ſhe hath miſliking of, or that he liketh to pitch a quarrel unto. To ſee all theſe inconveniencys approaching, there are a good number that may ſooner lament with themſelves, and complain to their neighbours, than be able to find remedie to help them, ſome attempt with all the force they have, but are too weak to do any good, what is required otherways, or what means there is made your lordſhip knoweth; what will be anſwered, or what will be done, therein, we are in great doubt, and though your intent be never ſo good unto us, yet do we ſo much fear your delay, that our ruin ſhall prevent your ſupport when council is once taken. Nothing ſo needful, as ſpeedy execution. Upon the queen's majeſty, we wholly depend, in her majeſty's hands it ſtandeth to ſave our lives, or to ſuffer us to periſh; greater honour her majeſty cannot have, than in that which lieth in her majeſty's power to do for us, the ſums are not great, the numbers of men are not many that we deſire; many will dayly befound, tho' this will be ſome charge; men grow dayly, though, at this

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this time, I think her majeſty ſhall looſe but few; her friends here being once taken away, where will her majeſty find the like; I ſpeak leaſt of that which I think is moſt earneſtly intended by this queen, and her huſband, when by him it was lately ſaid, that he cared more for the papiſts in England, than he did for the proteſtants in Scotland; if therefore his hopes be ſo great in the papiſts of England, what may your lordſhip believe that he thinketh of the proteſtants there; for his birth, for his nurritour, for the honour he hath to be of kine to the queen my miſtreſs, if in preferring thoſe that are the queen's majeſties worſt ſubjects to thoſe that are her beſt, he declareth what mind he beareth to the queen's majeſty's ſelf, any man may ſay it is ſlenderly rewarded, and his duty evil forgotten; he would now ſeem to be indifferent to both the religions, ſhe to uſe her maſs, and he to come ſometimes to the preaching; they were married with all the ſolemnities of the popiſh time, ſaving that he heard not the maſs; his ſpeech and talk argueth his mind, and yet would he fain ſeem to the world that he were of ſome religion; his words to all men, againſt whom he conceiveth any diſpleaſure how unjuſt ſoever it be, ſo proud and ſpitfull, that rather he ſeemeth a monarch of the world, than he that, not long ſince, we have ſeen and known the lord Darnley; he looketh now for reverence of many that have little will to give it him; and ſome there are that do give it, that think him little worth of it. All honour that may be attributed unto any man by a wife, he hath it wholly and fully; all praiſes that may be ſpoken of him he lacketh not from herſelf; all dignities that ſhe can indue him with, which are already given and granted; no man pleaſeth her that contenteth not him; and what may I ſay more, ſhe hath given over to him her whole will, to be ruled and guided as himſelf beſt liketh; ſhe can as much prevail with him, in any thing that is againſt his will, as your lordſhip may with me to perſuade that I ſhould hang myſelf; this laſt dignity out of hand to have been proclaimed king, ſhe would have it deferred untill it were agreed by parliament, or he had been himſelf 21 years of age, that things done in his name might have the better authority. He would, in no caſe, have it deferred one day, and either then or never; whereupon this doubt is riſen amongſt our men of law whether ſhe being clad with a huſband, and her huſband not twenty-

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one years, any thing without parliament can be of ſtrength, that is done between them; upon Saturday at afternoon theſe matters were long in debating. And before they were well reſolved upon, at nine hours at night, by three heralds, at ſound of the trumpet he was proclaimed king. This was the night before the marriage; this day, Monday at twelve of the clock, the lords, all that were in the toun, were preſent at the proclaiming of him again, where no man ſaid ſo much as Amen, ſaving his father, that cried out aloud God ſave his queen. The manner of the marriage was in this ſort; upon Sunday in the morning between five and ſix, ſhe was conveyed by divers of her nobles to the chapell; ſhe had upon her back the great mourning gown of black, with the great wide mourning hood, not unlike unto that which ſhe wore the doulfull day of the burial of her huſband: ſhe was led into the chapell, by the earle of Lennox and Athol, and there was ſhe left untill her huſband came, who alſo was conveyed by the ſame lords, the miniſter prieſts, two, do there receive them, the bands are aſked the third time, and an inſtrument taken by a notour that no man ſaid againſt them, or alleged any cauſe why the marriage might not proceed. The words were ſpoken, the rings which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers ſaid over them, ſhe tarrieth out the maſs, and he taketh a kiſs, and leaveth her there, and went to her chamber, whither within a ſpace ſhe followeth; and being required, according to the ſolemnity, to caſt off her cares and leave aſide thoſe ſorrowful garments, and give herſelf to a more pleaſant life, after ſome pretty refuſall, more I believe for manner ſake than grief of heart, ſhe ſuffered them that ſtood by, every man that could approach, to take out a pin, and ſo being committed to her ladies, changed her garments, but went not to bed, to ſignifie to the world, that it was not luſt that moved them to marry, but only the neceſſity of her country, not, if God will, long to leave it deſtitute of an heir. Suſpicious men, or ſuch as are given of all things to make the worſt, would that it ſhould be believed, that they knew each other before that they came there; I would not your lordſhip ſhould ſo believe it, the likelihoods are ſo great to the contrary, that if it were poſſible to ſee ſuch an act done, I would not believe it. After the marriage followeth commonly great cheer and dancing:

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dancing: to their dinner they were conveyed by the whole nobility; the trumpets ſound; a largeſs cried; mony thrown about the houſe in great abundance, to ſuch as were happy to get any part; they dine both at one table, ſhe upon the upper hand, there ſerve her theſe earls Athole ſewer, Morton carver, Craufoord cup-bearer; theſe ſerve him in like offices, earls Eglington, Caſſels, and Glencairn; after dinner they danced a while, and then retired themſelves till the hour of ſupper; and as they dined ſo do they ſup, ſome dancing there was, and ſo they go to bed; of all this I have written to your lordſhip. I am not oculatus teſtis to this, but of the verity your lordſhip ſhall not need to doubt, howſoever I came by it; I was ſent for to have been at the ſupper, but like a curriſh or uncourtly carle I refuſed to be there; and yet that which your lordſhip may think might move me much, to have had the ſight of my miſtreſs, of whom theſe eighteen days by juſt account I got not a ſight, I am my lord taken by all that ſort as a very evil perſon, which in my heart I do well allow, and like of myſelf the better, for yet can I not find either honeſt or good that liketh their doings. I leave at this time further to trouble your lordſhip, craving pardon for my long ſilence, I have more ado than I am able to diſcharge, I walk now more abroad by night than by day, and the day too little to diſcharge myſelf of that which I conceive, or receive in the night. As your lordſhip, I am ſure, is partaker of ſuch letters as I write to Mr. Secretary, ſo that I truſt that he ſhall be to this, to ſave me of a little labour, to write the ſame again, moſt humbly I take my leave at Edinburgh, the laſt day of July 1565.

No. XII. (Vol. II. p. 134.)

Letter of the earl of Bedford to the honourable ſir William Cecil, knt. her majeſty's principal ſecretary, and one of her highneſs's privy council.

AFTER my hearty commendations, this day at noon captain Brickwell came hither, who brought with him the queen's majeſty's letters containing her full reſolution, and pleaſure for all things he had in charge to give information of, ſaving that for the aid of the lords

2d of Sept. 1565. Paper Office, from the original.

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of the congregation there is nothing determined, or at the leaſt expreſſed in the ſame letters, and for that purpoſe received I this morning, a letter ſubſcribed by the duke, the earl of Murray, Glencarne, and others, craving to be holpen with 300 harquebuſyers out of this garriſon, for their better defence. And albeit, I know right well the goodneſs of their cauſe, and the queen's majeſty our ſovereign's good will, and care towards them; and do alſo underſtand that it were very requiſite to have them holpen, for that now their cauſe is to be in this manner decided, and that it now ſtandeth upon their utter overthrow and undoing, ſince the queen's party is at the leaſt 5000, and they not much above 1000; beſides that the queen hath harquebuſyers, and they have none, and do yet want the power that the earl of Arguyle ſhould bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means to learn her majeſty's pleaſure in this behalf, what, and how, I ſhall anſwer them, or otherwiſe deal in this matter, now at this their extreme neceſſity. For, on the one ſide, lyeth thereupon their utter ruin and overthrow, and the miſerable ſubverſion of religion there; and, on the other ſide, to adventure ſo great and weighty a matter as this is, (albeit it be but of a few ſoldiers, for a ſmall time) without good warraunte, and thereby to bring, peradventure, upon our heads ſome wilful warrs, and in the mean time to leave the place unfurniſhed, (having in the whole but 800) without any grant of new ſupply for the ſame; and by that means alſo, to leave the marches here the more ſubject to invaſion, while in the mean ſeaſon new helps are preparing; to this know not I what to ſay or how to do. And ſo much more I marvel thereof, as that having ſo many times written touching this matter, no reſolute determination cometh. And ſo between the writing, and looking for anſwer, the occaſion cannot paſs, but muſt needs proceed and have ſucceſs. God turn it to his glory; but ſurely all men's reaſon hath great cauſe to fear it. Such a puſh it is now come unto, as this little ſupply would do much good to advance God's honour, to continue her majeſty's great and careful memory of them, and to preſerve a great many noblemen and gentlemen. If it be not now helpen, it is gone for ever. Your good will and affection that way I do nothing miſtruſt, and herein ſhall take ſuch good advice as by any means I can.

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I received from these lords two papers inclosed, the effect whereof shall appear unto you. For those matters that captain Brickwell brought, I shall answer you by my next, and herewith send you two letters from Mr. Randolph, both received this day. By him you shall hear that the protestants are retired from Edenborough, further off. So I hope your resolution for their aid shall come in time, if it come with speed, for that they will not now so presently need them; and so with my hearty thanks commit you to God. From Berwick, this 2d of Sept. 1565.

No. XIII. (Vol. II. p. 134.)

The queen to the earl of Bedford.

UPON the advertisements lately received from you, with such other things as came also from the lord Scrope and Thomas Randolph, and upon the whole matter well considered, we have thus determined. We will, with all the speed that we can, send to you 3000l. to be thus used. If you shall certainly understand that the earl of Murray hath such want of money, as the impresting to him of 1000l. might stand him in stead for the help to defend himself, you shall presently let him secretly to understand, that you will, as of yourself, let him have so much, and so we will that you let him have, in the most secret sort that you can, when the said sum shall come to you, or if you can, by any good means, advance him some part thereof beforehand. 12 Sept. 1565. Paper Office.

THE other 2000l. you shall cause to be kept whole, unspent, if it be not that you shall see necessary cause to impress some part thereof to the now numbers of the 600 footmen and 100 horsemen; or to the casting out of wages of such workmen, as by sickness, or otherwise, ought to be discharged. And where we perceive, by your sundry letters, the earnest request of the said earl of Murray and his associates, that they might have, at the least, 300 of our soldiers, to aid them. And that you also write, that tho' we would not command you to give them aid, yet if we would but wink at your doing herein, and seem to blame you for attempting such things, as you with the help of others should bring about, you doubt not

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not but things would do well; you ſhall underſtand for a truth, that we have no intention, for many reſpects, to maintain any other princes ſubjects, to take arms againſt their ſovereign; neither would we willingly do any thing to give occaſion to make wars betwixt us and that prince, which has cauſed us to forbear, hitherto, to give you any power to let them be aided with any men. But now, conſidering we take it, that they are purſued, notwithſtanding their humble ſubmiſſion and offer to be ordered and tried by law and juſtice, which being refuſed to them, they are retired to Dumfreſe, a place near our weſt marches, as it ſeemeth there to defend themſelves, and adding thereunto the good intention that preſently the French king pretendeth, by ſending one of his to join with ſome one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding againſt her ſubjects, for which purpoſe the French ambaſſador here with us has lately written to that queen, whereof anſwer is daily looked for; to the intent in the mean time the ſaid lords ſhould not be oppreſſed and ruined for lack of ſome help to defend them, we are content and do authorize, if you ſhall ſee it neceſſary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of 300 ſoldiers, to be taken, either in whole bands, or to be drawn out of all your bands, as you ſhall ſee cauſe. And to cover the matter the better, you ſhall ſend theſe numbers to Carliſle, as to be laid there in garriſon, to defend that march, now in this time that ſuch powers are on the other part drawing to thoſe frontiers, and ſo from thence as you ſhall ſee cauſe to direct of, the ſame numbers, or any of them, may moſt covertly repair to the ſaid lords, when you ſhall expreſsly advertize, that you ſend them that aid only for their defence, and not therewith to make war againſt the queen, or to do any thing that may offend her perſon; wherein you ſhall ſo preciſely deal with them, that they may perceive your care to be ſuch as if it ſhould otherwiſe appear, your danger ſhould be ſo great, as all the friends you have could not be able to ſave you towards us. And ſo we aſſure you our conſcience moveth us to charge you ſo to proceed with them; for otherwiſe than to preſerve them from ruin, we do not yield to give them aid of money or men: And yet we would not that either of

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of these were known to be our act, but rather to be covered with your own desire and attempt.

No. XIV. (Vol. II. p. 144.)

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.

MY humble duty considered; what to write of the present state of the country I am so uncertain, by reason of the daily alterations of men's minds, that it maketh me much slower than otherwise I would. Within these few days there was some good hope, that this queen would have shewed some favour towards the lords, and that Robert Melvin should have returned unto them with comfort upon some conditions. Since that time, there are come out of France Clernau by land, and Thorneton by sea; the one from the cardinal, the other from the bishop of Glasgow. Since whose arrival neither can there be good word gotten, nor appearance of any good intended them, except that they be able to perswade the queen's majesty, our sovereign, to make her heir apparent to the croun of England. I write of this nothing less than I know that she hath spoken. And by all means that she thinketh the best doth travaile to bring it to pass. There is a band lately devised, in which the late pope, the emperor, the king of Spain, the duke of Savoy, with divers princes of Italy, and the queen mother suspected to be of the same confederacy to maintain papistry throughout Christiandom; this band was sent out of France by Thorneton, and is subscribed by this queen, the copy thereof remaining with her, and the principal to be returned very shortlie, as I hear, by Mr. Stephen Wilson, a fit minister for such a deviliſh devise; if the coppie hereof may be gotten, that shall be sent as I conveniently may. Monsieur Rambollet came to this toun upon Monday, he spoke that night to the queen and her husband, but not long; the next day he held long conferences with them both, but nothing came to the knowledge of any whereof they intreated. I cannot speak with any that hath any hope that there will be any good done for the lords by him, though it is said that he hath very good will to do so to the uttermost of his power. He is lodged near to the court, and liveth upon the queen's charges. Upon Sunday

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day the order is given, whereat means made to many to be preſent that day at the maſs. Upon Candlemas day there carried their candles, with the queen, her huſband, the earl of Lennox, and earl Athol; divers other lords have been called together and required to be at the maſs that day, ſome have promiſed, as Caſſels, Montgomerie, Seton, Cathneſs. Others have refuſed, as Fleming, Levingſton, Lindſay, Huntly and Bothel; and of them all Bothel is the ſtouteſt, but worſt thought of; it was moved in council that maſs ſhould have been in St. Giles church, which I believe was rather to tempt men's minds, than intended indeed: She was of late minded again to ſend Robert Melvin to negotiate with ſuch as ſhe truſteth in amongſt the queen's majeſty's ſubjects, of whoſe good willis this way I truſt that the bruit is greater than the truth, but in theſe matters, her majeſty is too wiſe not in time to be ware, and provide for the worſt; ſome in that country are thought to be privie unto the bands and confederacie of which I have written, whereof I am ſure there is ſome things, tho' perchance of all I have not heard the truth; in this court divers quarles, contentions and debates, nothing ſo much ſought as to maintain miſchief and diſorder. David yet retaineth ſtill his place not without heart grief to many, that ſee their ſovereign guided chiefly by ſuch a fellow; the queen hath utterly refuſed to do any good to my lord of Argyll, and it is ſaid that ſhall be the firſt voyage that ſhe will make after ſhe is delivered of being with child; the bruit is common that ſhe is, but hardly believed of many, and of this, I can aſſure you, that there have of late appeared ſome tokens to the contrary.

No. XV. (Vol. II. p. 153.)

Part of a Letter from the earl of Bedford and Mr. Tho. Randolph to the lords of the council in England from Barwick, 27th of March 1566. An Original in the Cotton. Library, Caligula b. 10. fol. 372.

May it pleaſe your Honours,

27th March 1566. HEARING of ſo maynie matters as we do, and fyndinge ſuch varietie in the reports, we have myche ado to decerne the veritie; which maketh us to flow

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ſower and loother to put any thing in wryting to the entente we wold not that your honours, and by you the queen's majeſtie, our ſovereigne, ſhould not be advertiſed but of the verie trothe as we can poſſible. To this end we thought good to ſend up captain Carewe, who was in Edinbourge at the time of the laſt attemptate, who ſpoke there with diverſe, and after that with the queen's ſelf and her huſband, conforme to that, which we have learned by others and know by this reporte, we ſend the ſame, confirmed by the parties ſelf, that were there preſent and aſſyſters unto theſe that were executors of the acte.

This we fynde for certain, that the queen's huſband being entered into a vehement ſuſpicion of David, that by hymſome thynge was committed, which was moſt agaynſte the queen's honour, and not to be borne of his perte, fyrſte communicated his mynde to George Duglas, who fynding his ſorrows ſo great ſought all the means he coulde to put ſome remedie to his grieff; and communicating the ſame unto my lord Ruthen by the king's commandment, no other waye coulde be found then that David ſhould be taken out of the waye. Wherein he was ſo earneſt and daylye preſſed the ſame, that no reſte could be had untyll it was put in execution. To this that was found good, that the lord Morton, and lord Lindſaye ſhould be made privie to th' intente, that theie might have their friends at hande, yf neade required; which cauſed them to aſſemble ſo mayny, as theie thought ſufficient againſt the tyme, that this determination of theirs ſhould be put in executione; which was determined the ixth of this inſtante 3 daies afore the parliament ſhould begyne, at which time the ſayde lords were aſſured that the earles Argyle, Morraye, Rothes and their complyces ſholde have been forfeited, yf the king could not be perſuaded through this means to be their friends; who for the deſyre he had that this intent ſhould take effect th' one waye was content to yielde, without all difficultie to t'other, with this condition, that theie ſhould give their conſents, that he might have the crowne matrimonial. He was ſo impatient to ſee theſe things he ſaw, and were daylye brought to his eares, that he dayly preſſed the ſaid lord Ruthen, that there might be no longer delay; and to the intent that myght manifeſte unto the world that he approved the acte, was content to be at the doing of that himſelf.

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Upon Saturday at night neire unto VIII of the clock the king conveyeth himſelf, the Lord Ruthen, George Duglaſs, and two others, throwe his own chamber by the privy ſtayers up to the queen's chamber, going to which there is a cabinet about XII foot ſquare; in the ſame a little low repoſing bed and a table, at the which theyr were ſitting at ſupper the queene, the lady Argile, and David with his capp upon his head. Into the cabinet there cometh in the king and lord Ruthen, who willed David to come forth, ſaying, that was no place for him. The queen ſaid, that it was her will. Her howſband anſwerede, that y' was againſt her honour. The Lord Ruthen ſaid, that he ſhould lerne better his deutie, and offering to have taken him by the arm, David took the queen by the blychtes of her gown and put himſelf behind the queen who wolde gladlee have ſaved him: But the king having looſed his hand, and holding her in his arms, David was thruſt out of the cabinet throw the bed chamber into the chamber of preſens, whar were the Lord Morton, lord Lindſey, who intending that night to have reſerved him, and the next day to hang him, ſo many being about him, that bore him evil will, one thruſt him into the boddie with a dagger, and after hym a great many others, ſo that he had in his bodie above wonds. It is told for certayne, that the king's own dagger was left ſticking in him. Wheather he ſtuck him or not we cannot here for certayn. He was not ſlayne in the queen's preſens, as was ſaid, but going down the ſtayres out of the chamber of preſens.

There remained a long tyme with the queen her howſband and the lord Ruthen. She made, as we here, great interceſſion, that he ſhold have no harm. She blamed greatlee her howſband that was the actor of ſo foul a deed. It is ſaid, that he did anſwer, that David had more companie of her boddie than he for the ſpace of two months; and therefore for her honour and his own contentment he gave his conſent that he ſhould be taken away. "It is not" (ſaythe ſhe) "the woman's part to ſeek "the huſband," and therefore in that the fault was his own. He ſaid that when he came, ſhe either wold not or made herſelf ſick. "Well," ſaythe ſhe, "you have "taken your laſt of me and your farewell." Then were pity, ſayth the Lord Ruthen, he is your majeſty's huſband and muſt yield dutie to each other. "Why may "I not,"

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" I not," ſaythe ſhe, " leave him as well as your wife " did her huſband ?" Other have done the like. The lord Ruthen ſaid that ſhe was lawfully divorced from her huſband, and for no ſuch cauſe as the king found himſelf greve. Beſydes this man was mean, baſſe, enemie to the nobility, ſhame to her, and deſtruction to herſelf and country. " Well," ſaith ſhe, " that ſhall be dear blude " to ſome of you, yf his be ſpylt." God forbid, ſayeth the lord Ruthen; for the more your grace ſhowe yourſelf offended, the world will judge the worſe.

Her huſband this tyme ſpeaketh litle, herſelf continually weepeth. The lord Ruthen being ill at eaſe and weak calleth for a drink, and ſaythe, " This I muſt do " with your majeſties pardon," and perſuadeth her in the beſt ſort he could, that ſhe would pacify herſelf. Nothing that could be ſaid could pleaſe her.

In this mean time there roſe a nombre in the court; to pacify which there went down the lord Ruthen, who went ſtrayt to the erles Huntley, Bothwell, and Atholl, to quiet them, and to aſſure them from the king that nothing was intend againſt them. Theſe notwithſtanding taking fear, when theie heard that my lord Murray wold be there the next day, and Argile meet them, Huntly and Bothwell both get out of a window and ſo depart. Atholl had leave of the king with Flyſh and Glandores (who was lately called Deyſley the perſon of Owne) to go where they wold, and bring concorde out of the court by the lord of Lidington. Theie went that night to ſuch places where they thought themſelves in moſt ſauftie.

Before the king leaft talk with the queen, in the hering of the lord Ruthen ſhe was content that he ſhould lie with her that night. We know not how he * * himſelf, but came not at her, and excuſed hymſelf to his friends, that he was ſo ſleepie, that he could not wake in due ſeaſon.

There were in this companie two that came in with the king; the one Andrewe Car of Fawdenſide, whom the queen ſayth would have ſtroken her with a dagger, and one Patrick Balentine, brother to the juſtice clerk, who alſo, her grace ſayth, offered a dag againſt her belly with the cock down. We have been earneſtly in hand with the lord Ruthen to know the varitie; but he aſſureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arſkin, one or two others.

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They at the firſt offering to make a defence, the lord Ruthen drawd his dagger, and 4 mo weapons then, that were not drawn nor ſeen in her preſens, as we are by this lord aſſured.

[The letter afterwards gives an account of the flight to Dunbar caſtle, whither reſorted unto the lords Huntly and Bothwell: That the earl of Morton and lord Ruthven find themſelves left by the king for all his fair promiſes, bonds, and ſubſcriptions. That he had proteſted before the council, that he was never conſenting to the death of David, and that it is ſore againſt his will: "That "of the great ſubſtance David had there is much ſpoken, "ſome ſay in gold to the value of $11^{m}£$. His apparel "was very good, as it is ſaid, 28 pair of velvet hoſe. "His chamber well furniſhed, armour, dagger, pyſto-"letts, harquebuſes, 22 ſwords. Of all this nothing "ſpoyld or lacked ſaving 2 or 3 daggers. He had the "cuſtody of all the queen's letters, which all were deli-"vered unlooked upon. We hear of a juill, that he had "hanging about his neck of ſome price, that cannot be "heard of. He had upon his back, when he was ſlayn, "a night gown of damaſk furred, with a ſatten doublet, "a hoſe of ruſſet velvet."]

No. XVI. (Vol. II. p. 162.)

Part of a Letter from Randolph to Cecil, Jan. 16, 1565-6.

——I Cannot tell what miſliking of late there hath been between her grace and her huſband, he preſſeth earneſtly for the matrimonial crown, which ſhe is loth haſtily to grant; but willing to keep ſomewhat in ſtore, until ſhe know how well he is worth to enjoy ſuch a ſovereignty: and therefore it is thought that the parliament for a time ſhall be deferred, but hereof I can write no certainty.

From Mr. Randolph's letter to ſecretary Cecil.

4 April, 1566. Paper office, from the original.

THE juſtice-clerk in hard terms, more for his brother's cauſe than any deſert, and as far as I can hear the king of all other in worſt, for neither hath the queen

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good opinion of him for attempting of any thing that was againſt her will, nor the people that he hath denied ſo manifeſt a matter, being proved to be done by his commandment, and now himſelf to be the accuſer and purſuer of them that did as he willed them. This Scott, that was executed, and Murray that was yeſterday arraigned, were both accuſed by him. It is written to me, for certain, by one that upon Monday laſt ſpoke with the queen, that ſhe is determined that the houſe of Lennox ſhall be as poor in Scotland as ever it was. The earl continueth ſick, ſore troubled in mind; he ſtaith in the abby, his ſon hath been once with him, and he once with the queen, ſince ſhe came to the caſtle. The queen hath now ſeen all the covenants and bands that paſſed between the king and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David was falſe; and grievouſly offended that, by their means, he ſhould ſeek to come to the crown matrimonial.

Part of a Letter from Randolph to Cecil, from Berwick, 25 April 1566.

——THERE is continually very much ſpeech of the diſcord between the queen and her huſband, ſo for that, that is commonly ſaid and believed of himſelf, that Mr. James Thornton is gone to Rome to ſue for a divorce between them. It is very certain that Malevaſier had not ſpoken with him within theſe three days. He is neither accompanied nor looked upon of any nobleman: attended upon by certain of his own ſervants, and ſix or ſeven of the guard; at liberty to do, and go where and what he will, they have no hope yet among themſelves of quietneſs.

——DAVID's brother, named Joſeph, who came this way with Malevaſier, unknown to any man here, is becomeſecretary in his brother's place.

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No. XVII. (Vol. II. p. 167.)

The earl of Bedford to Cecil, 3d Auguſt 1566.

THE queen and her huſband agree after the old manner, or rather worſe. She eateth but very ſeldom with him, lieth not, nor keepeth company with him, nor loveth any ſuch as love him. He is ſo far out of her books, as at her going out of the caſtle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modeſty, nor with the honour of a queen, be reported what ſhe ſaid of him. One Hickman, an Engliſh merchant there, having a water ſpaniel which was very good, gave him to Mr. James Melvill, who afterwards, for the pleaſure which he ſaw the king have in ſuch kind of dogs, gave him to the king. The queen thereupon fell marvellouſly out with Melvill, and called him diſſembler and flatterer, and ſaid ſhe could not truſt one, who would give any thing to ſuch a one as ſhe loved not.

The earl of Bedford to Cecil, Aug. 8.

THE diſagreement between the queen and her huſband continueth, or rather increaſeth. Robert Melvill drawing homewards, within twelve miles of Edinburgh, could not tell where to find the queen; ſith which time ſhe is come to Edinburgh, and had not twelve horſes attending on her. There was not then, nor that I can hear of ſince, any lord baron, or other nobleman in her company. The king her huſband is gone to Dumfermling, and paſſeth his time as well as he may; having at his farewell, ſuch countenance as would make a huſband heavy at the heart.

Sir John Forſter to Cecil, 8 Sept. from Berwick.

THE queen hath her huſband in ſmall eſtimation, and the earl of Lennox came not in the queen's ſight ſince the death of Davy.

Sir

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Sir John Forſter to Cecil, 11th Dec.

THE earl of Bothwell is appointed to receive the ambaſſadors, and all things for the chriſtening are at his lordſhip's appointment, and the ſame is ſcarcely well liked of the nobility, as is ſaid. The king and queen is preſently at Craigmillar, but in little greater familiarity than he was all the while paſt.

Advertiſements out of Scotland from the earl of Bedford.

THAT the king and queen agreed well together two days after her coming from ——, and after my lord of Murray's coming to Edinburgh, ſome new diſcord has happened. The queen had declared to my lord of Murray that the king bears him evil will, and has ſaid to her that he is determined to kill him, finding fault that ſhe doth bear him ſo much company: and in like manner hath willed my lord of Murray to ſpiere it at the king, which he did a few nights ſince in the queen's preſence, and in the hearing of divers. The king confeſſed, that reports were made to him, that my lord of Murray was not his friend, which made him ſpeak that thing he repented; and the queen affirmed, that the king had ſpoken ſuch words unto her, and confeſſed before the whole houſe, that ſhe could not be content that either he or any other ſhould be unfriend to my lord of Murray. My lord of Murray enquired the ſame ſtoutly, and uſed his ſpeech very modeſtly, in the mean time the king departed very grieved; he cannot bear that the queen ſhould uſe familiarity either with man or woman, and eſpecially the ladies of Arguile, Murray, and Marre, who keep moſt company with her. My lord of Murray and Bothwell have been at evil words for the l. of Ledington, before the queen, for he and ſir James Balfoure had new come from Ledington, with his anſwer upon ſuch heads of articles as Bothwell and he ſhould agree upon, which being reported to the ſaid earl in the queen's preſence, made anſwer, that ere he parted with ſuch lands as was deſired, he ſhould part with his life. My lord of Murray

Auguſt 1566. Paper Office, from the original.

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ſaid ſtoutly to him, that twenty as honeſt men as he ſhould loſe their lives ere he reafte Ledington. The queen ſpake nothing, but heard both; in theſe terms they parted, and ſince, that I hear of, have not met. The queen after her hunting came to Edinburgh, and carryeth the prince thence to Stirling with her. This laſt Saturday was executed a ſervant of the lord Ruthven's, who confeſſed that he was in the cabinet, but not of council of the fact. The queen hath alſo opened to my lord of Murray, that money was ſent from the pope, how much it was, and by whom, and for what purpoſe it was brought.

No. XVIII. (Vol. II. p. 182.)

Part of a Letter from Elizabeth to Mary, Feb. 20, 1569. A copy interlined by Cecil. It contains an anſwer to a complaining letter of Mary's upon the impriſonment of the biſhop of Roſs.

—— AFTER this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain delays in not ratifying the treaty accorded by your own commiſſioners, whereby I received no ſmall unkindneſs, beſides the manifold cauſes of ſuſpicion that I might not hereafter truſt to any writings. Then followed a hard manner of dealing with me, to intice my ſubject and near kinſman, the lord Darnly, under colour of private ſuits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the ſame without my aſſent or liking. And how many unkind parts accompanied that fact, by receiving of my ſubjects that were baſe runnegates and offenders at home, and enhancing them to places of credit againſt my will, with many ſuch like, I will leave for that the remembrance of the ſame cannot but be noyſome to you. And yet all theſe did I as it were ſuppreſs and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, chriſten your ſon, the child of my ſaid kinſman, that had before ſo unloyally offended me, both in marriage of you, and in other undutiful uſages towards me his ſovereign. How friendly alſo dealt I by meſſages to reconcile him, being your huſband,

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band, to you, when others nouriſhed diſcord betwixt you, who as it ſeemed had more power to work their purpoſes, being evil to you both, than I had to do you good, in reſpect of the evil I had received. Well I will overpaſs your hard accidents that followed for lack of following my council. And then in your moſt extremity, when you was a priſoner indeed, and in danger of your life from your notorious evil willers, how far from my mind was the remembrance of any unkindneſs you had ſhewed me. Nay, how void was I of reſpect to the deſigns which the world had ſeen attempted by you to my crown, and the ſecurity that might have enſued to my ſtate by your death, when I finding your calamity to be great, that you were at the pit's brink to have miſerably loſt your life, did not only intreat for your life, but ſo threatened ſome as were irritated againſt you, that I only may ſay it, even I was the principal cauſe to ſave your life.

No. XIX. (Vol. II. p. 202.)

Letter of Q. Elizabeth to Q. of Scots. Thus marked on the back with Cecil's hand.—*Copia Literarum Regiæ Majeſtatis ad Reginam Scotorum.* VIII° *Aprilis.*

MADAME, vous ayant trop moleſtè par M. de Crocq, je n'euſſe eu ſi peu de conſideration de vous faſcher de cette lettre, ſi les liens de charitè vers les ruinez, et les prieres des miſerables ne m'y contraignaſſent. Je entens que un edit a etè divulguè de par vous, madame, que ung chaſcun, que veult juſtifier que ons eſtè les meurtriers de votre feu mari, et mon feu couſin, viennent a le faire le XIIme de ce mois. La quelle choſe, comme c'eſt plus honourable et neceſſaire, qui en tel cas ſe pourra faire, ne y eſtant cachè quelque miſtere ou fineſſe, ainſi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priaſſe de prolongue le jour, pource qu'ilz cognoiſſent que les iniques ſe ſont combineès par force de faire ceque par droict ils ne pourront pas faire; partant, je ne puis mais ſinon pour l'amour de vous meme, a qui il touche le plus, et pour la conſolation des innocens, de vous exhorter le leur conceder cette requeſte, laquelle, ſi elle les ſeroit niè, vous tourneroit grandement en ſoupçon, de plus que j'eſpere ne penſez, et que ne voudriez volon- Paper Office.

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tiers ouyr. Pour l'amour de Dieu, madame, uſez de telle ſincerité & prudence en ce cas qui vos touche de ſi pres, que tout le monde aye raiſon, de vous livrer comme innocente d'ung crime ſi enorme, choſe que ſi ne fiſtes, ſeriez dignement eſboyë hors de rancz de princeſſes, & non ſans cauſe faite opprobre de vulgaire, et plutot que cela vous avienne, je vous ſouhaiterois une ſepulture honorable, qu'une vie maculeè; vous voiez madame, que je vous traite comme ma fille, et vous promets, que ſi j'en euſſe, ne luy ſouhaiterois mieulx, que je vous deſire, comme le Seigneur Dieu me porte teſmoignage, a que je prie de bon cœur de vous inſpirer a faire ce qui vous ſera plus a honneur, et a vos amis plus de conſolation, avec mes tres cordialles recommendations comme a icelle a qui ſe ſouhaite le plus de bien, qui vous pourra en ce monde avenir. De Weſt. ce 8 jour de Janvier[b] en haſte.

No. XX. (Vol. II. p. 217.)

Account of the ſentence of divorce between the earl of Bothwell and lady Jean Gordon his wife. From a manuſcript belonging to Mr. David Falconer, advocate. Fol. 455.

UPOUN the 29 of Apryle 1567, before the richt hon. Mr. Robert Maitland dean of Aberdene, Mr. Edward Henryſon doctor in the laws, two of the ſenators of the college of juſtice, Mr. Clement Little, and Mr. Alexander Syme advocattis, commiſſers of Edn^{r}; compeered Mr. Henry Kinroſſe, procurator for Jean Gourdoune countes of Bothwell, conſtitute be her for purſewing of ane proces of divorcement intendit by her contra James erle Bothwel her huſband for adultry, committed be him with Beſſie Crawfurde the purſueis ſervant for the time; and ſicklyke, for the ſaid erle, compeared Mr. Edmond Hay, who eſter he had purſued and craved the purſuer's procurator's oath de calumnia, if he had juſt caus to purſew the ſaid action, and obtained it, denyed the libell, and the ſaid Mr. Harrie took the morne, the laſt day of Apryle, to prove the ſame pro prima. The quhilk day, having produced ſome witneſſes, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced ſome moe witneſſes, and

[b] A miſtake in the date corrected with Cecil's hand VIII° Aprilis.

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renounced farther probatioune. After quhilk, he desired a term to be assigned to pronounce sentence. To whom the said commissars assigned Satterday next, the 3 of May, to pronounce sentence therein, secundum alegata et probata, quilk accordingly was given that day in favour of the pursewar.

At the same time there was another proces intendit be the erl of Bothwell contr his lady, for to have their marriage declared nul, as being contracted against the canons, without a dispensation, and he and his lady being within degrees defendand, viz. ferdis a kin, and that wyse for expeding of this proces, there was a commissioune grantit to the archbishop of St. Androis to cognosce and determine it, and Rot bishop of Dunkeld, William bishop of Dunblane, Mr. Andro Craufurd chanon in Glasgow, and parson of Egelshame, Mr. Alexander Creichtoun, and Mr. George Cooke chancellor of Dunkeld, and to Mr. Johne Manderstoune chanon in Dunbar and prebendar of Beltoune, or any ane of them. This commissione is datit 27 Aprile 1567, was presented to two of the saids commissioners, viz. Mr. Andr Crawfurd and Mr. John Manderstoune on Satterday 3 May, by Mr. Thomas Hepburne parson of Auldhamstocks, procurator for the erle of Bothwell, who accepted the delegatioune, and gave out their citation by precept, directed Decano Christianitatis de Hadingtoune, nec non vicario seu curato eccle. parochiæ de Creichtoune, seu cuicunq; alteri cappellano debiti requisitis, fer summoning, at the said erles instance, both of the lady personally if she could be had, or otherways at the parosche kerk of Creichtoune the time of service, or at her dwelling place before witnesses, primo, secundo, tertio et peremptorie, unico tamen contextu protuplice edicto. And likeways to be witnesses in the said matter, Alex. bishop of Galloway, who did marry the said erle and his lady, in Halerud-house kirk, in Feb. 1565, sir John Bannatyne of Auchnoule justice clerk, Mr. Robert Creichtoun of Elliok the queen's advocate, Mr. David Chalmers provost of Creichtoun and chancellor of Ross, Michael — Abbot of Melrose, and to compear before the said judges or any one of them in St. Geils kirk in Edr on Monday the 5 of May, be thamselves, or their procurators. Upon the said 5 day, Mr. John Manderstoun, one of the judges delegat only being present, compeared the same procura-

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tors for both the parties that were in the former proces, Mr. Edmund Hay (articulatlie) and some of the witnesses summoned produced, and received for proving the same. The said procurator renounced farder probatioune, and the judge assigned the morne, the 6th of May, ad publicandum producta, nempe depositiones ipsorum testium. The quhilk day, post publicatas depositiones prædictas, Mr. Hen. Kinrosse, procurator for the lady instanter objecit objectiones juris generaliter, contra producta, insuper renunciavit ulteriori defensioni; proinde concluſa de consensu procuratorum hinc inde causa, judex prædictus statuit crastinum diem pro termina, ad pronunciandam suam sententiam definitivam, ex deductis coram eo, in præsenti causa et processu. Conform hereunto, on Wednesday the 7th of May, the said judge gave out his sentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in respect of their contingence in blood, which hindered their lawful marriage without a dispensation obtained of befoir.

Two words in the parenthesis illegible.

No. XXI. (Vol. II. p. 221.)

A Letter from England concerning the murder of king Henry Darnley.

E. of Morton's Archieves. Bundle B. No. 25.

HAVING the commodity of this bearer Mr. Clark, I tho't good to write a few words unto you. I have rec^d some writs from you; and some I have seen lately sent to others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to such as I thought meet, this mekle I can assure you; the intelligence given hither by the French was untrue, for there was not one papist or protestant which did not consent that justice should be done, be the queen my sov^n aid and support, against such as had committed that abominable ill murder in your country; but to say truth, the lack and coldness did not rise from such as were called to council, but from such as should give life and execution thereunto. And further, I assure you, I never knew no matter of estate proponed which had so many favourers of all sorts of nations as this had: yea, I can say unto you, no man promoted the matter with greater affection, than

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the Spaniſh ambaſſador. And ſure I am that no man dare openly be of any other mind, but to affirm that whoſoever is guilty of this murder handfaſted with advoutre, is unworthy to live. I ſhall not need to tell you, which be our letts, and ſtayes from all good things here. You are acquainted with them as well as I. Neds I muſt confeſs, that howſoever we omit occaſions of benefit, honour, and ſurety; it behoveth your whole nobility, and namely ſuch as before and after the murder were deemed to allow of Bodwell, to proſecute with ſword and juſtice the puniſhment of thoſe abominable acts, though we lend you but a cold aid, and albeit you, and divers others, both honourable and honeſt, be well known to me, and ſundry others here, to be juſtifiable in all their actions and doings; yet think not the contrary but your whole nation is blemiſhed and infamit by theſe doings which lately paſſed among you. What we ſhall do I know not, neither do I write unto you aſſuredly, for we be ſubject unto many mutations, and yet I think we ſhall either aid you, or continue in the defence and ſafeguard of your prince, ſo as it appear to us that you mean his ſafeguard indeed, and not to run the fortune of France, which will be your own deſtruction, if you be unadviſed. I know not one, no not one of any quality or eſtate in this country, which does allow of the queen your ſovereign, but would gladly the world were rid of her, ſo as the ſame were done without farther ſlander, that is to ſay by ordinary juſtice. This I ſend the 23d of May.

No. XXII. (Vol. II. p. 231.)

Part of a Letter from Sir Nicolas Throkmorton to Cecil, 11th of July 1567, from Berwick.

——SIR, your letter of the 6th of July, I received the 10th at Berwick. I am ſorry to ſee that the queen's majeſty's diſpoſition altereth not towards the lords, for when all is done, it is they which muſt ſtand her more in ſtead, than the queen her couſin, and will be better inſtruments to work ſome benefite and quietneſs to her majeſty and her realm, than the queen of Scotland which is void of good fame. An Original. Paper Office.

A Let-

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A Letter from Sir Nicolas Throkmorton to Cecil, from Faſtcaſtle, 12th of July 1567.

Paper Office.

SIR, as you might perceive by my letter of the 11th July, I lodged at Faſtcaſtle that night, accompanyed with the lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well according to the ſtate of that place, which is fitter to lodge priſoners than folks at liberty, as it is very little, ſo it is very ſtrong. By the conference I have had with the lord of Ledington I find the lords his aſſociates and he hath left nothing unthought of, which may be either to thir danger, or work them ſurety, wherein they do not forget what good and harme France may do them, and likewiſe they conſider the ſame of England; but as farr as I can perceive, to be plain with yow, they find more perril to grow unto them through the queen's majeſty's dealing than either they do by the French, or by any contrary faction amongeſt themſelves, for they aſſure themſelves the queen will leave them in the bryers if they run her fortoun, and though they do acknowledge great benefit as well to them, as to the realm of England by her majeſty's doings at Leith, whereof they ſay mutually her majeſty and both the realms have received great fruit: yet upon other accidents which have chanced ſince, they have obſerved ſuch things in her majeſty's doings, as have ended to the danger of ſuch as ſhe hath dealt withal, to the overthrow of your own deſignments, and little to the ſuerty of any party: and upon theſe conſiderations and diſcourſes at length, methinketh I find a diſpoſition in them, that either they mind to make their bargain with France, or elſe to deal neither with France nor yow, but to do what they ſhall think meet for their ſtate and ſuerty, and to uſe their remedy as occaſions ſhall move them; meaning neither to irritate France nor England, untill ſuch time as they have made their bargain aſſuredly with one of yow; for they think it convenient to proceed with yow both for a while pari paſſu, for that was my lord of Ledington's terms. I do perceave they take the matter very unkindly, that no better anſwer is made to the letter, which the lords did ſend to her majeſty, and likewiſe that they hear nothing from yow to their ſatisfaction, I have anſwered as well as I can, and have alledged their own proceedings ſo obſcurely with the queen, and

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and their uncertainty hath occaſioned this that is yet happened, and therefore her majeſty hath ſent me to the end I may inform her throughly of the ſtate of the matters, and upon the declaration of their minds and intents to ſuch purpoſes as ſhall be by me propoſed on her majeſty's behalf unto them, they ſhall be reaſonably and reſolutely anſwered. At theſe things the lord of Ledington ſmiled and ſhook his head, and ſaid it were better for us yow would let us alone, than neither to do us nor yourſelves good, as I fear me in the end that will prove; Sr if there be any truth in Ledington, le Crocq is gone to procure Ramboilet his coming hither or a man of like quality, and to deliver them of their queen for ever, who ſhall lead her life in France in an abbey recluſed, the prince at the French devotion, the realm governed by a council of their election of the Scottiſh nation, the forts committed to the cuſtody of ſuch as ſhall be choſen amongſt themſelves, as yet I find no great likelihood that I ſhall have acceſs to the queen, it is objected they may not ſo diſpleaſe the French king, unleſs they were ſure to find the queen of England a good friend; and when they once by my acceſs to the queen have offended the French, then they ſay yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the firſt head that I propoſed, they ſaid that thereby they did perceive that the queen wants their undoing, for as for the reſt of the matters it was but folly to talk of them, the liberty going before; but ſaid they, if you will do us no good, do us no harm, and we will provide for ourſelves. In the end they ſaid, we ſhall refuſe our own commodity, before they concluded with any other, which I ſhould hear of at my coming to Edinr; by my next I hope to ſend you the band concluded by Hamiltons, Argyll, Huntly, and that faction, not ſo much to the prejudice of the lords of Edinr, as that which was ſent into France; thus having no more leiſure, but compelled to leap on horſeback with the lords to go to Edinr, I humbly take my leave of from Faſtcaſtle the 12th of July 1567.

To

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To Sir Nicolas Throkmorton being in Scotland. By the queen, the 14th July 1567.

TRUSTY and well beloved we greet you well, though we think that the cauſes will often change upon variety of accidents, yet we think for ſundry reſpects, not amiſs, that as yow ſhall deal with the lords having charge of the young prince for the committing of him into our realm, ſo ſhall yow alſo do well, in treaty with the queen, to offer her that where her realm appeareth to be ſubject to ſundry troubles from time to time, and thereby (as it is manifeſt) her ſon cannot be free, if ſhe ſhall be contented that her ſon may enjoy ſurety and quietneſs, within this our realm, being ſo near as ſhe knows it is; we ſhall not faill to yield her as good ſurety therein for her child, as can be deviſed for any that might be our child born of our own body, and ſhall be glad to ſhew to her therein the trew effect of nature; and herein ſhe may be by yow remembered how much good may enſue to her ſon to be nouriſhed and acquainted with our country; and therefore all things conſidered, this occaſion for her child, were rather to be ſought by her and the friends of him, than offered by us; and to this end, we mean that yow ſhall ſo deal with her, both to ſtay her indeed from inclining to the French practice, which is to us notorious, to convey her and the prince into France, and alſo to avoid any juſt offence, that ſhe might hereafter conceive, if ſhe ſhould hear that we ſhould deal with the lords for the prince.

Sir Nicolas Throkmorton to queen Elizabeth, 14th July 1567, from Edinburgh.

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IT may pleaſe your majeſty to be advertiſed, I did ſignifie unto Mr. Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the cauſes of my ſtay, my lodging at Faſtcaſtle, a place of the lord Hume's, where I was met by the ſaid Lord and by the lord Lidington, and what had paſſed in conference betwixt us, whileſt I was at the ſaid Faſtcaſtle. Since which time, accompanied with the lords aforeſaid, and with 400 horſes by their appointment for my better conduct,

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duct, I came to Edin^r the 12th of this preſent. The 13th, being Sunday appointed for a ſolemne communion in this town, and alſo a ſolemne faſt being publiſhed, I could not have conference with the lords which he aſſembled within this town as I deſired, that is to ſay the earls of Athole, and Morton, the lord Hume, the lord of Ledington, ſir James Balfour captain of the caſtle, Mr. James M^cGill, and the preſident of the ſeſſion.

Nevertheless I made means by the lord of Lidington that they would uſe no protracte of time in mine audience, ſo did I likewiſe to the earle of Morton, whom I met by chance; I was anſwered by them both, that albeit the day were deſtined to ſacred exerciſes, ſuch as were there of the council would conſult upon any moyen touching my acceſs unto them and my conference with them, and ſaid alſo, that in the afternoon either they would come to me, or I ſhould hear from them. About 4 of the clock in the afternoon, the ſaid 13th day, the Lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and others, that they required me to have patience, though they had defferred my conference with them, which was grounded principally upon the abſence of the earles of Mar and Glencairn, the lords Semple, Crighton, and others of the council, ſaying alſo that they did conſider the matters which I was on your behalf to treat with them of, were of great importance, as they could not ſatisfy nor conveniently treate with me, nor give me anſwer without the advice of the lords, and others their aſſociates; the lord of Lidington alſo ſaid unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I preſſed greatly to have ſpeedy acceſs to the queen their ſovereign, he perceived, by the lords and others which were here, that in that matter there was great difficulty for many reſpects, but ſpecially becauſe they had refuſed to the French ambaſſador the like acceſs, which being granted unto me, might greatly offend the French, a matter which they deſired and intended to eſchew; for they did not find by your majeſty's dealings with them hitherto, that it behoved them to irritate the French king, and to loſe his favour and good intelligence with him: I anſwered, that as to their refuſal made unto the French ambaſſador, monſieur de Ville Roye was diſpatched forth of France before theſe accidents here happened, and his ſpecial errand was to impeach the

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the queen's marriage with the earle of Bothel (for ſo indeed ſince my coming hither I learned his commiſſion tended to that end, and to make offer to the queen of another marriage), and as to monſieur de Crocq, he could have no order forth of France concerning theſe matters, ſince they happened; and therefore they might very well hold them ſuſpected to have conference with the queen, leaſt they might treate of matters in this time without inſtructions, and ſo rather do harm then good; but your majeſty being advertized of all things which had chanced, had ſent me hither to treat with them, for the well of the realm, for the converſation of their honours and credit, and for their ſurety; and I might boldly ſay unto him, that your majeſty had better deſerved than the French had. He ſaid, for his own part, he was much bound unto your majeſty, and had always found great favour and courteſy in England; but to be plain with you, ſir, ſayed he, there is not many of this aſſembly that have found ſo great obligation at the queen your ſovereign's hands, as at the French king's, for the earles of Morton and Glencairn be the only perſons which took benefit by the queen's majeſty's aid at Leith, the reſt of the noblemen were not in the action; and we think, ſaid he, the queen's majeſty your ſovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular perſon; and not to talk with yow as an ambaſſador, but with ſir Nicolas Throkmorton, my lord Morton, and ſuch as were in pain for the death of Davie, found but cold favour of the queen's majeſty's hands, when they were baniſhed forth of their own country; but I would all our whole company were as well willing to accompliſh the queen your ſovereign intents and deſires as I am; for mine own part, I am but one, and that of the meaneſt ſort, and they be many noblemen and ſuch as have great intereſt in the matter, mary yow ſhall be aſſured I will imploy myſelf to imploy my credit, and all that I may do, to ſatisfie the queen your miſtreſs, as much as lyeth in me, and for your own part you have a great many friends in this aſſembly, with many other good words. But for concluſion I muſt take this for an anſwer to ſtay until the other lords were come, and thereupon I thought meet to advertize your majeſty what hath paſſed, and how far forth I have proceeded; your expectation being great to hear from hence.

AND

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AND now to advertize your majesty of the state of all things, as I have learned since my coming hither, it may please your majesty to understand as followeth.

THE queen of Scotland remaineth in good health in the castle of Lochleven, guarded by the lord Lindsay and Lochleven the owner of the house; for the lord Ruthven is imployed in another commission, because he began to show great favour to the queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earle of Murray's brother, hath also liberty to come to her at his pleasure; the lords aforesaid, which have her in guard, doe keep her very straitly, and as far as I can perceive, their rigour proceedeth by their order from these men, because that the queen will not by any means be induced to lend her authority to prosecute the murder, nor will not consent by any perswasion to abandon the lord Bothell for her husband, but avoweth constantly that she will live and die with him; and saith that if it were put to her choice to relinquish her crown and kingdom, or the lord Bothell, she would leave her kingdom and dignity, to go as a simple damsell with him, and that she will never consent that he shall fare worse or have more harm than herself.

AND as far as I can perceive, the principal cause of her detention is, for that those lords do see the queen being of so fervent affection towards the earle Bothell as she is, and being put at, as they should be compelled to be in continuall arms, and to have occasion of many battles, he being with manifest evidence notoriously detected to be the principal murderer, and the lords meaning prosecution of justice against him according to his merits.

THE lords mean also a divorce betwixt the queen and him, as a marriage not to be suffered for many respects, which separation cannot take place if the queen be at liberty, and have power in her hands.

THEY do not also forget their own perill, conjoined with the danger of the prince, but as far as I can perceave, they intend not either to touch the queen in surety or in honor, for they do speak of her with respect and reverence, and do affirm, as I do learn, that the conditions aforesaid accomplished, they will both put her to liberty, and restore her to her estate.

THESE

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THESE lords have for the guard of their town 450 harqubuſhers which be in very good order, for the entertainment of which companys, until all matters be compounded, they did ſue unto your majeſty, to aid them with ſuch ſum of money as hath been mentioned to Mr. Secretary by the lord of Lydington's writing, amounting as I perceive to ten or twelve thouſand crowns of the

THEY were lately advertized that the French king doth mind to ſend hither monſieur de la Chapell des Urſine, a knight of the French order, and always well affectionate to the houſe of Guyſe, and howſoever la Foreſt, Villaroy, and du Crocq have uſed language in the queen's favour and to theſe lords diſadvantage there, to your majeſty; la Crocq doth carry with him ſuch matter as ſhall be little to the queen's advantage; ſo as it is thought the French king, upon his coming to his preſence, will rather ſatisfy the lords, than pleaſure the queen; for they have their party ſo well made, as the French will rather make their profit by them, than any other way.

HEREWITH I ſend your majeſty the laſt bond agreed on, and ſigned by the Hamiltons, the earl of Argyll, Huntly, and ſundry others at Dumbarton.

NEVERTHELESS, ſince my coming to this town, the Hamiltons have ſent unto me a gentleman of their ſurname named Robert Hamilton, with a letter from the biſhop of St. Andrews, and the abbot of Arbroth, the copy whereof I ſend your majeſty and mine anſwer unto them, referring to the bearer the declaration of ſome things, as theſe did by him unto me.

The earle of Argyll hath, in like manner, ſent another unto me with a letter and credit, I have uſed him as I did the others, the copy of both which letters I ſend your majeſty alſo. The lord Harrys hath alſo ſent unto me but not written, and I have returned unto him in like ſort.

AGAINST the 20th day of this month there is a generall aſſembly of all the churches, ſhires, and boroughs towns of this realm, namely of ſuch as be contented to repair to theſe lords to this town, where it is thought the whole ſtate of this matter will be handeled, and I fear me much to the queen's diſadvantage and danger; unleſs the lord of Lidington and ſome others which be beſt affected unto her do provide ſome remedy; for I perceave the great number, and in manner all, but chiefly the common people, which

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which have assisted in these doings, do greatly dishonour the queen, and mind seriously either her deprivation, or her destruction; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy: I may not speak of dissolution of it, for that may not be abiden, and I should thereby bring myself into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the queen as I think they could be contented, for fear of the rage of the people. The women be most furious and impudent against the queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

There was a great bruit that the Hamiltons with their adherents would put their force into the fields against the 24th of this month, but I do not find that intent so true, as the common bruit goeth.

The earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

The earle of Lennox is by these lords much desired here, and I do believe your majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

The earle of Argyll, the Hamiltons and he be incompatible.—— I do find amongst the Hamiltons, Argyll and the company two strange and sundry humours.

Hamiltons do make show of the liberty of the queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty and Bothwell's destruction, because they would compass a marriage betwixt the queen and the lord of Arbroth.

The earle of Argyll doth affect her liberty, and Bothwell's destruction, because he would marry the queen to his brother.

And yet neither of them, notwithstanding their open concurrence (as appeareth by their bond), doth discover their minds to each other, nor mind one end; Knox is not here, but in the west parts, he and the rest of the ministers will be here at the great assembly, whose austerity against the queen I fear as much as any man's.

By some conference which I had with some of this councill, me thinketh that they have intelligence that there

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is a diſpoſition in the queen of Scotland to leave this realm, and to retire herſelf either into England or into France, but moſt willingly into England, for ſuch —— and miſlikeings as ſhe knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of perſons deleagued, and authorized by her, or to ſome one or more.

And it pleaſe your majeſty, I think it not amiſs to put yow in remembrance, that in caſe the ſaid queen come into England by your allowance, without the French king's conſent, ſhe ſhall looſe her dowery in France, and have little or nothing from hence to entertain her; and in caſe ſhe do go into France with the king's contentment, ſhe may be an inſtrument (if ſhe can recover favour, as time will help to cancell her diſgrace) either by matching with ſome huſband of good quality, or by ſome other deviſe, to work new unquietneſs to her own country, and ſo conſequently to your majeſty's.

Therefore it may pleaſe your majeſty to conſider of this matter, and to let me know your pleaſure with convenient ſpeed, how I ſhall anſwer the ſame, if it be propounded unto me, either by the queen or by the councill, as a piece of the end and compoſition. For I am ſure, of late, ſhe hath ſeemed very deſirous to have the matter brought to paſs that ſhe might go into England, retaining her eſtate and juriſdiction in herſelf, though ſhe do not exerciſe it; and likewiſe I underſtand that ſome of this council which be leaſt affected to her ſafety do think there is no other way to ſave her. Thus Almighty God preſerve your majeſty in health, honour, and all felicity; at Edin[r] the 14th July 1567.

Sir Nicolas Throkmorton to queen Elizabeth, the 18th of July 1567, from Edinburgh.

An original. Paper Office.

It may pleaſe your majeſty, yow might perceave by my letters of the 16th, how far I had proceeded with theſe lords, and what was their anſwer; ſince which time I have ſpoken particularly with the earle Morton, the lord of Lidington, and ſir James Balfour captain of this caſtle; at whoſe hands I cannot perceave that as yet acceſs to the queen to Lochleven will be granted me, ſtaying themſelves ſtill by the abſence of the lords and others their aſſociates, which (they ſay) they look for within two days; and for that

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that I find, by likelihood and apparent presumptions, that mine access to the queen will hardly be granted, I have thought good not to defer this dispatch until I have a resolute answer in that matter.

MAY it therefore please your majesty, to understand Robert Melvin returned from the queen in Lochleven, to this town the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain, as I understand, matter as followeth—A request unto them to have consideration of her health, and if they will not put her to liberty, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son, and if they will not change her from Lochleven, she required to have some other gentlewomen about her, naming none.

To have her apothecary, to have some modest minister. ——To have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularitys be not specified, but referred to Robert Melvin's credit, the one is to commit it only and wholly to the earle of Murray, the other is to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelrault, the earls of Morton, Murray, Marr, and Glencairn.

SHE hath written unto them that I might have access unto her.——She requireth further, that if they will not treat her and regard her as their queen, yet to use her as the king their sovereign's daughter (whom many of them knew) and as their prince's mother.—She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

SHE yieldeth in words to the prosecution of the murder.

I HAVE the means to let her know that your majesty hath sent me hither for her relief.

I HAVE also persuaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather die; grounding herself upon this reason taking herself to be seven weeks gone with child; by renouncing

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Bothell, ſhe ſhould acknowledge herſelf to be with child of a baſtard, and to have forfeited her honour, which ſhe will not do to die for it; I have perſwaded her to ſave her own life and her child, to chooſe the leaſt hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had ſome conference, and with Mr. Craig alſo, the other miniſter of this town.

I have perſwaded with them to preach and perſwad lenity. I find them both very auſtere in this conference, what they ſhall do hereafter I know not, they are furniſhed with many arguments, ſome forth of the ſcripture, ſome forth of hiſtories, ſome grounded (as they ſay) upon the laws of this realm, ſome upon practices uſed in this realm, and ſome upon the conditions and oath made by their prince at her coronation.

The biſhop of Galloway, uncle to the earle of Huntley, hath ſent hither to theſe lords, that his nephew the earle and ſome others of that ſide may, at Linlithgow or at Stirling, have ſome communication with ſome appointed on this ſide, aſſuring them that there is a good diſpoſition in the lords of the other party to concurre with theſe, aſſuring further that they will not diſſent for triffles or unneceſſary things, and (as I am given to underſtand) they can be pleaſed the queen's reſtraint be continued until the murder be purſued in all perſons, whereby the ſeparation of the queen and Bothell is implyed, the preſervation of the prince, the ſecurity for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath ſo long ſerved in Denmark and ſerved at Newhaven, did the 16th of this month (accompanied with one of his ſoldiers, or rather the ſoldier as the greater fame goeth) kill one Wilſon a ſeamen, and ſuch a one as had great eſtimation with theſe lords both for his ſkill, his hardyneſs, honeſty, and willingneſs in this action; whereupon Clerk hath retired himſelf; their quarrel was about the ſhip which took Blacketer, which ſhip was appointed by theſe lords to go to the north of Scotland to impeach the paſſage of the earle Bothell, in caſe he went either to the iſles, or to any other place; by the death of this man this enterpriſe was daſhed.

The biſhop of Galloway is come to Linlithgow, and doth deſire to ſpeak with the lord of Lidington.

The

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THE abbot of Kilwinning hath ſent for ſir James Balfour, captain of the caſtle, to have conference with him.

As I wrote unto your majeſty in my laſt, the Hamiltons now find no matter to diſever theſe lords and them aſſunder, but would concur in all things (yea in any extremity againſt the queen) ſo as that they might be aſſured the prince of Scotland were crouned king, and ſhould die without iſſue, that the earle of Lenox's ſon living ſhould not inherit the croun of this realm, as next heir to his nephew.

AND although the lords and councelors ſpeak reverently, mildly, and charitably of their queen, ſo as I cannot gather by their ſpeech any intention to cruelty or violence, yet I do find by intelligence, that the queen is in very great peril of her life, by reaſon that the people aſſembled at this convention do mind vehemently the deſtruction of her.

IT is a public ſpeech among all the people, and amongſt all eſtates (ſaving of the counſellors) that their queen hath no more liberty nor privilege to commit murder nor adultery, than any other private perſon, neither by God's laws, nor by the laws of the realm.

THE earl of Bothell, and all his adherents and aſſociates, be put to the horn by the ordinary juſtice of this town, named the lords of the ſeſſion; and commandment given to all ſhirriffs, and all other officers, to apprehend him, and all other his followers and receiptors.—The earl of Bothell's porter, and one of his other ſervitors of his chamber, being apprehended, have confeſſed ſuch ſundry circumſtances, as it appeareth evidently, that he the ſaid earl was one of the principal executors of the murder, in his own perſon accompanyed with ſundry others, of which number I cannot yet certainly learn the names but of three of them, that is to ſay, two of the Ormiſtons of Tivotdall, and one Hayborn of Bolton; the lords would be glad that none of the murderers ſhould have any favour or receipt in England, and hereof their deſire is, that the officers upon the border may be warned; Bothell doth ſtill remain in the north parts, but the lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.—The intelligence doth grow daily betwixt theſe lords, and thoſe which held of; and notwithſtanding theſe lords have ſent an hundred and fifty harqubuſhers to Stirling, to keep the town and paſ-

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ſage from ſurprize; and ſo have they done in like manner to St. Johnſton, which be the two paſſages from the north and weſt to this town, I do underſtand the captain of Dunbar is much buſied in fortifying that place, I do mervile the carriages be not impeached otherwiſe than they be.

Of late this queen hath written a letter to the captain of the ſaid caſtle, which hath been ſurprized; and thereby matter is diſcovered which maketh little to the queen's advantage.

Thus, having none other matter worthy your majeſty's knowledge, I beſeech God to proſper your majeſty with long life, perfect health, and proſperous felicity. At Edinburgh the 18th of July 1567.

Letter of Sir Nicholas Throkmorton to the right honourable the earl of Leiceſter, knt. of the order, and one of the lords of her majeſty's moſt honourable privy council.

24th of July, 1567. Paper Office. From the original.

By my former diſpatches ſent to her majeſty, and Mr. Secretary, ſince the 12th of July, your lordſhip might have perceived the ſtate of this country, and to what end theſe matters be like to come: ſo as not to trouble your lordſhip with many words; this queen is like very ſhortly to be deprived of her royal eſtate, her ſon to be crowned king, and ſhe detained in priſon within this realm, and the ſame to be governed, in the young king's name, by a councel, conſiſting of certain of the nobility, and other wiſe men of this realm; ſo as it is eaſy to be ſeen that the power and ability to do any thing to the commodity of the queen's majeſty, and the realm of England will chiefly, and in manner wholly, reſt in the hands of theſe lords, and others their aſſociates, aſſembled at Edinburgh. Now if the queen's majeſty will ſtill perſiſt in her former opinion towards the queen of Scotland (unto whom ſhe ſhall be able to do no good), then I do plainly ſee that theſe lords and all their accomplices will become as good French, as the French king can wiſh, to all intents and purpoſes. And as for the Hamiltons, the earls of Argyll, Huntlye, and that faction, they be already ſo far inchanted that way, as there needeth little deviſe to draw them to the French devotion. Then this is the ſtate of things ſo come to paſs of this country, that France

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France has Scotland now as much conjoined unto them, to all purpoſes, as ever it was; and what an inſtrument, the young prince will prove, to unquiet England, I report me to your lordſhips wiſdoms, and therefore conſidering the weight of the matter, and all the circumſtances, I truſt your lordſhips will well bethink you in time (for 'tis high time) how to adviſe her majeſty, to leave nothing undone that may bring the prince of Scotland to be in her poſſeſſion, or, at the leaſt, to be at her devotion. And amongſt other things, that I can imagine, for the firſt degree nothing is more meet to bring this to effect, than to allure this company here aſſembled, to bear her majeſty their favour. Some talk hath paſſed between the lord of Liddington and me, in certain conferences, about this matter. By him I find, that when her majeſty ſhall have won theſe men to her devotion, the principal point that will make them conformable to deliver their prince into England, will reſt upon the queen, and the realms enabling him to the ſucceſſion of the crown of England, for fault of iſſue of the queen's majeſty's body, ſome other things will alſo be required, as the charge of the ſaid prince and his train to be at the charge of England. I do well perceive that theſe men will never be brought to deliver their prince into England, without the former condition, for the ſucceſſion of England; for (ſaith Liddington) that taking place, the prince ſhall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preſervation as the other. Otherwiſe, he ſaith, all things conſidered, it will be reported that the Scottiſhmen have put their prince to be kept in ſafety, as thoſe which commit the ſheep to be kept by the wolves. So as for concluſion, your lordſhips may perceive here will be the ſcope of this matter. As unto the delivering of him upon hoſtages, he ſayeth, let no man think, that the condition of the ſucceſſion not being accompliſhed, the nobility and the gentry will never conſent to leave themſelves deſtitute of their ſovereign, upon any hoſtages, neither upon any promiſes, nor likelihood of good to iſſue in time to come. It were not good for yourſelves (ſaith he) that the matter were ſo handled; for then you ſhould adventure all your goods in one ſhip, which might have a dangerous effect, conſidering the unwillingneſs of the queen your ſovereign to conſent to eſtabliſhing any ſucceſſor to the crown. And then, how unmete were it, that

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her majeſty having in her poſſeſſion already all ſuch perſons as do pretend to it, or be inheritable to the crown, to have our prince alſo in her cuſtody. For ſo there might follow, without good capitulations, a ſtrange and dangerous iſſue, tho' the queen your miſtreſs do think that ſuch imaginations could not proceed but from buſy heads, as you have uttered unto us on her behalf. What is come to paſs ſince my laſt diſpatch, and how far forth things are proceeded, I refer your lordſhip to be informed by my letters ſent unto her majeſty, at this time. And ſo I pray Almighty God, preſerve your lordſhip in much honour and felicity. At Edinburgh this 24th of July 1567.

It may pleaſe your good Lordſhip to make my lord Stuard partner of this letter.

The Queen to Sir Nicholas Throkmorton.

By the Queen.

6th Aug. 1567. TRUSTY and right well-beloved, we greet you well, for as much as we do conſider that you have now a long time remained in thoſe parts without expedition in the charge committed unto you, we think it not meet, ſeeing there hath not followed the good acceptation and fruit of our well meaning towards that ſtate, which good reaſon would have required, that you ſhould continue there any longer; our pleaſure, therefore, is, that you ſhall, immediately upon the receipt hereof, ſend your ſervant Middlemore unto the lords and eſtates of that realm, that are aſſembled together, willing him to declare unto them, that it cannot but ſeem very ſtrange unto us, that you having been ſent from us, of ſuch good intent, to deal with them, in matters tending ſo much to their own quiet, and to the benefit of the whole eſtate of their country, they have ſo far forgotten themſelves, and ſo ſlightly regarded us and our good meaning, not only in delaying to hear you, and deferring your acceſs to the queen their ſovereign, but alſo, which is ſtrangeſt of all, in not vouchſafing to make any anſwer unto us. And altho' theſe dealings be ſuch, indeed, as were not to be looked for at their hands, yet we do find their uſage and proceeding

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ceeding towards their ſovereign and queen, to overpaſs all the reſt in ſo ſtrange a degree, as we for our part, and we ſuppoſe the whole world beſides, cannot but think them, to have therein gone ſo far beyond the duty of ſubjects, as muſt needs remain to their perpetual tauche for ever. And therefore ye ſhall ſay, that we have tho't good, without conſuming any longer time in vain, to revoke you to our preſence, requiring them to grant you licence and paſport ſo to do, which when you ſhall have obtained, we will that you make your repair hitherto, unto us, with as convenient ſpeed as you may. Given, &c.

Indorſed 6th Auguſt 1567.

Throkmorton to the right honourable ſir William Cecil, knight, one of her majeſty's privy council and principal ſecretary, give theſe.

SIR,

WHAT I have learned, ſince the arrival of my lord Murray, and Monſ. de Linnerol, you ſhall underſtand by my letter to her majeſty, at this time. The French do, in their negotiations, as they do in their drink, put water to their wine. As I am able to ſee into their doings, they take it not greatly to the heart how the queen ſleep, whether ſhe live or die, whether ſhe be at liberty or in prizon. The mark they ſhoot at, is, to renew their old league; and can be as well contented to take it of this little king (howſoever his title be), and the ſame by the order of theſe lords, as otherwiſe. Lyneroll came but yeſterday, and methinketh he will not tarry long; you may gueſs how the French will ſeek to diſpleaſe theſe lords, when they changed the coming of la Chapelle des Ourſins for this man, becauſe they doubted that de la Chapelle ſhould not be grateful to them, being a papiſt. Sir, to ſpeak more plainly to you, than I will do otherwiſe, methinketh the earl of Murray will run the courſe that thoſe men do, and be partaker of their fortune. I hear no man ſpeak more bitterly againſt the tragedy, and the players therein, than he, ſo little like he hath to horrible ſins. I hear an inkling that Ledington is to go into France, which I do as much miſlike, as any thing, for our purpoſe. I can aſſure you the whole proteſtants of France will live and die in theſe

12th Aug. 1567. Paper Office. From the original.

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theſe men's quarrels; and, where there is bruit amongſt you, that aid ſhould be ſent to the adverſe party, and that Martigues ſhould come hither with ſome force; Monſ. Boudelot hath aſſured me of his honour, that inſtead of Martigues coming againſt them, he will come with as good a force to ſuccour them: and if that be ſent under meaner conduct, Robert Stuart ſhall come with as many to fortify them. But the conſtable hath aſſured theſe lords, that the king meaneth no way to offend them. Sir, I pray you find my revocation convenient, and ſpeed you to further it, for I am here now to no purpoſe, unleſs it be to kindle theſe lords more againſt us. Thus I do humbly take my leave of you, from Edenburgh the 12th of Auguſt 1567.

Yours to uſe and command.

The Queen to Nicholas Throkmorton.

TRUSTY and well-beloved, we greet you well. We have, within theſe two days, received three ſundry letters of yours, of the 20th, 22d, and 23d, of this month, having not before thoſe received any ſeven days before; and do find, by theſe your letters, that you have very diligently and largely advertiſed us of all the haſty and peremptory proceedings there; which as we nothing like, ſo we truſt in time to ſee them wax colder, and to receive ſome information. For we cannot perceive, that they with whom you have dealt can anſwer the doubts moved by the Hamiltons, who howſoever they may be carried for their private reſpects, yet thoſe things which they move, will be allowed by all reaſonable perſons. For if they may not, being noblemen of the realm, be ſuffered to hear the queen their ſovereign declare her mind concerning the reports which are made of her, by ſuch as keep her in captivity, how ſhould they believe the reports, or obey them, which do report it? and therefore our meaning is, you ſhall let the Hamiltons plainly underſtand, that we do well allow of their proceedings (as far forth as the ſame doth concern the queen their ſovereign for her relief) and in ſuch things as ſhall appear reaſonable for us therein to do, for the queen our ſiſter, we will be ready to perform the ſame. And where it is ſo required, that upon your coming thence, the lord Scroope

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ſhould deal with the lord Herris to impart their meanings to us, and ours to them, we are well pleaſed therewith, and we require you to advertize the lord Scroope hereof by your letters, and to will him to ſhew himſelf favourable to them in their actions, that may appear plainly to tend to the relief of the queen, and maintenance of her authority. And as we willed our ſecretary to write unto you, that upon your meſſage done to the earl of Murray, you might return, ſo our meaning is you ſhall. And if theſe our letters ſhall meet you on the way, yet we will have you advertiſe both the lord Scroope and the Hamiltons of our meaning.

Indorſed 29 Aug. 1567.

No. XXIII. (Vol. II. p. 237.)

Sir Nicholas Throkmorton to the Archbiſhop of St. Andrew's and the Abbot of Arbrothe.

AFTER my good commendations to your good lordſhips, this ſhall be to advertize you, that the queen's majeſty my ſovereign having ſent me hither her ambaſſador to the queen her ſiſter your ſovereign, to communicate unto her ſuch matter as ſhe thought meet, conſidering the good amity and intelligence betwixt them, who being detained in captivity (as your lordſhips know) contrary to the duty of all good ſubjects, for the enlargement of whoſe perſon, and the reſtitution of her to her dignity, her majeſty gave me in charge to treat with theſe lords aſſembled at Edenburgh, offering them all reaſonable conditions and means as might be, for the ſafeguard of the young prince, the puniſhment of the late horrible murder, the diſſolution of the marriage betwixt the queen and the earl of Bodwell, and laſtly for their own ſureties. In the negociation of which matters I have (as your lordſhips well know) ſpent a long time to no purpoſe, not being able to prevail in any thing with thoſe lords, to the queen my ſovereign's ſatisfaction. Of which ſtrange proceedings towards her majeſty, and undutiful behaviour towards their ſovereign, I have advertiſed the queen's majeſty, ſhe (not being minded to bear this indignity) hath given me in charge to declare her further pleaſure unto them, in ſuch ſort as they may well perceive her majeſty doth diſallow

13th Aug. 1567. Paper Office. From a copy which Sir Nicholas ſent to the queen.

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low of their proceedings, and thereupon hath revoked me. And further hath given me in charge to communicate the ſame unto your lordſhips, requiring you to let me know, before my departure hence (which ſhall be, God willing, as ſoon as I have received anſwer from you) what you and your confederates will aſſuredly do, to ſet the queen your ſovereign at liberty, and to reſtore her to her former dignity by force or otherwiſe; ſeeing theſe lords have refuſed all other mediation, to the end the queen's majeſty my ſovereign may concur with your lordſhips in this honourable enterpriſe.

AND in caſe, through the diſperſion of your aſſociates, your lordſhips can neither communicate this matter amongſt you, nor receive reſolution of them all by that time, it may pleaſe you to ſend me the opinions of ſo many of you as may confer together, within two or three days, ſo as I may have your anſwer here in this town by Monday or Tueſday next at the fartheſt, being the 19th of this Auguſt; for I intend (God willing) to depart towards England, upon Wedneſday following. Thus I moſt humbly take my leave of your lordſhips at Edenburgh, the 13th of Aug. 1567.

Indorſed the 13th of Aug. 1567.

Sir Nicholas Throkmorton to the lord Herrys.

24th Aug. 1567. Paper Office. From a copy which Sir Nicholas ſent to ſecretary Cecil

YOUR good lordſhip's letter of the 13th of Auguſt I have received the 19th of the ſame. For anſwer whereunto it may like your lordſhip to underſtand, that I will ſignify unto you plainly, how far forth I am already thoroughly inſtructed of the queen's majeſty my ſovereign's pleaſure, concerning the detention of the queen your ſovereign, and concerning her relief.

To the firſt her majeſty hath given in charge, to uſe all kinds of perſuaſion in her name, to move theſe lords aſſembled at Edenburgh to deſiſt from this violent and undutiful behaviour, which they uſed toward their ſovereign. And in this part, beſides the ſhew of many reaſons, and ſundry perſuaſions of amicable treaty with them, her majeſty hath willed me to uſe ſome plain and ſevere ſpeech unto them, tending ſo far forth, as if they would not be better adviſed, and reform theſe their outrageous proceedings exerciſed againſt their ſovereign, that then they might be

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be assured her majesty neither would nor could indure such an indignity to be done to the queen, her good cousin and neighbour.

And notwithstanding these my proceedings with them, they have made proof to be little moved thereby; for as yet neither will they consent to the enlargement, neither suffer me to speak with her. So as it seemeth to me, it is superfluous to treat any more with them after this manner. Whereupon I have advertised the queen's majesty my sovereign, expecting daily her majesty's further order; and as I shall be advertised thereof, so will not fail to signify the same to your good lordship; and in the mean time will advertise her majesty also, what your lordship hath written unto me. Thus with my due commendations to your good lordship, I commit the same to Almighty God, resting always to do you the pleasure and service that I can lawfully. At Edenburgh.

Indorsed 24th August, 1567.

No. XXIV. (Vol. II. p. 248.)

Account of lord Herreis's behaviour in the parliament held December 15, 156.

THE lord Herrys made a notable harangue in the name of the duke and himself, their friends and adherents (the duke himself, the earl of Cassilles, and the abbot of Kilwinning being also present) to persuade the union of the whole realm in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility did deserve, which in the beginning took meanes for punishment of the earl Bothwell, as also seeing the queen's inordinat affection to that wicked man, and that she could not be induced by their persuasion to leave him, that in sequestring her person within Lochlevin, they did the duty of noblemen. That their honourable doings, which had not spared to hazard their lives and lands, to avenge their native country from the slanderous reports that were spoken of it among other nations, had well deserved that all their brethren should join with them in so good a cause. That he and they, in whose names he did speak, would willingly, and without any compulsion, enter themselves in the same yoke, and put their lives. Paper Office.

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lives and lands in the like hazard, for maintenance of our cauſe. And if the queen herſelf were in Scotland, accompanied with 20,000 men, they will be of the ſame mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntly, Arguile, and others, which had not as yet acknowledged the king, would come to the ſame conformity, whereunto he would alſo earneſtly move them. And if they will remain obſtinate, and refuſe to qualify themſelves, then will the duke, he and their friends, join with us to correct them, that otherwiſe will not reform themſelves. So plauſible an oration, and more advantageous for our party, none of ourſelves could have made. He did not forget to term my lord regent, by the name of regent (there was no mention at all of the earl of Murray), and to call him grace at every word, when his ſpeeches were directed to him, accompanying all his words with low courteſies after his manner.

No. XXV. (Vol. II. p. 271.)

Queen Mary to Queen Elizabeth.

MADAM,

Cott. Lib. Cal. I. A copy, and probably a tranſlation.

ALTHOUGH the neceſſity of my cauſe (which maketh me to be importune to you) do make you to judge that I am out of the way; yet ſuch as have not my paſſion, nor the reſpects whereof you are perſuaded, will think that I do as my cauſe doth require. Madam, I have not accuſed you, neither in words, nor in thought, to have uſed yourſelf evil towards me. And I believe, that you have no want of good underſtanding, to keep you from perſwaſion againſt your natural good inclination. But in the mean time I can't chuſe (having my ſenſes) but perceive very evil furtherance in my matters, ſince my coming hither. I thought that I had ſufficiently diſcourſed unto you the diſcommodities, which this delay bringeth unto me. And eſpecially that they think in this next month of Auguſt, to hold a parliament againſt me and all my ſervants. And in the mean time, I am ſtayed here, and yet will you, that I ſhould put myſelf further into your country (without ſeeing you), and remove me further from mine; and there do me this diſhonour at the requeſt of my rebels, as to ſend commiſſioners to hear them againſt me,

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as you wold do to a mere ſubject, and not hear me by mouth. Now, madam, I have promiſed you to come to you, and having there made my moan and complaint of theſe rebels, and they coming thither, not as poſſeſſors, but as ſubjects to anſwer. I would have beſought you to hear my juſtification of that which they have falſly ſet forth againſt me, and if I could not purge myſelf thereof, you might then diſcharge your hands of my cauſes, and let me go for ſuch as I am. But to do as you ſay, if I were culpable I would be better adviſed; but being not ſo, I can't accept this diſhonour at their hands, that being in poſſeſſion they will come and accuſe mè before your commiſſioners, whereof I can't like: and ſeeing you think it to be againſt your honour and conſignage to do otherwiſe, I beſeech you that you will not be mine enemy, untill you may ſee how I can diſcharge myſelf every way, and to ſuffer me to go into France, where I have a dowry to maintain me; or at leaſt to go into Scotland, with aſſurance that if there come any ſtrangers thither, I will bind myſelf for their return without any prejudice to you, or if it pleis you not to do thus, I proteſt that I will not impute it to falſhood, if I receive ſtrangers in my country, without making you any other diſcharge for it. Do with my body as you will, the honour or blame ſhall be yours. For I had rather die here, and that my faithful ſervants may be ſuccoured (tho' you would not ſo) by ſtrangers, than to ſuffer them to be utterly undone, upon hope to receive, in time to come, particular commodity. There be many things to move me to fear that I ſhall have to do in this country, with others than with you. But foraſmuch as nothing hath followed upon my laſt moan, I hold my peace, happen what may hap. I have as leef to abide / endure my fortune, as to ſeek it, and not find it. Further, it pleaſed you to give licenſe to my ſubjects to go and come. This has been refuſed by my lord Scroop and Mr. Knolls (as they ſay) by your commandment, becauſe I would not depart hence to your charge, untill I had anſwer of this letter, tho' I ſhewed them that you required my anſwer upon the two points, contained in your letter

THE one is to let you briefly underſtand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require

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your aid, and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my juſt quarrel, and to appeal to other princes to have reſpect thereunto as my caſe requireth; and to you, madam, firſt of all when you ſhall have examined your conſcience before him, and have him for witneſs. —And the other, which is to come further into your country, and not to come to your preſence, I will eſteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In mean time, I beſeech you, to return to me my lord Herries, for I can't be without him, having none of my counſel here, and alſo to ſuffer me, if it pleaſe you, without further delay, to depart hence whitherſoever it be out of this country. I am ſure you will not deny me this ſimple requeſt for your honour's ſake, ſeeing it doth not pleaſe you to uſe your natural goodneſs towards me otherwiſe, and ſeeing that of mine own accord, I am come hither, let me depart again with yours. And if God permit my cauſes to ſucceed well, I ſhall be bound to you for it; and happening otherwiſe, yet I can't blame you. As for my lord Fleeming, ſeeing that upon my credit you have ſuffered him to go home to his houſe, I warrant you he ſhall paſs no further, but ſhall return when it ſhall pleaſe you. In that you truſt me, I will not (to die for it) deceive you. But *from* Dumbarton I anſwer not, when my l. Fleeming ſhall be in the Tower. For they which are within it, will not forbear to receive ſuccour, if I don't aſſure them of yours; no, tho' you would charge me withal, for I have left them in charge, to have more reſpect to my ſervants and to my eſtate, than to my life. Good ſiſter, be of another mind, win the heart, and all ſhall be yours, and at your commandment. I thought to ſatisfy you wholly, if I might have ſeen you. Alas! do not as the ſerpent, that ſtoppeth his hearing, for I am no enchanter, but your ſiſter, and natural couſin. If Cæſar had not diſdained to hear or read the complaint of an advertiſer, he had not ſo died; why ſhould princes ears be ſtopped ſeeing that they are painted ſo long? meaning that they ſhould hear all and be well adviſed, before they anſwer. I am not of the nature of the baſiliſk, and leſs of the camelion, to turn you to my likeneſs, and tho' I ſhould be ſo dangerous and curs'd as men ſay, you are ſufficiently armed with conſtancy and with juſtice, which I require of God, who give you grace to uſe it well

Perhaps *for.*

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with long and happy life. From Carliſle, the 5th of July 1568.

No. XXVI. (Vol. II. p. 272.)

Part of a Letter from ſir Francis Knollys to Cecil, 8th Aug. 1568, from Bolton.

—BUT ſurely this queen doth ſeem, outwardly, not only to favour the form, but alſo the chief article of the religion of the goſpel, namely juſtification by faith only; and ſhe heareth the faults of papiſtry revealed by preaching or otherwiſe, with contented ears, and with gentle and weak replys, and ſhe doth not ſeem to like the worſe of religion throw me. An original, Paper Office.

Part of a Letter from ſir Francis Knollys to Cecil, 21 Sept. 1568, from Bolton.

—IT came to this queen's ears of late that ſhe was bruited to be lately turned to the religion of the goſpell, to the great diſliking of the papiſts hereabouts, which thing ſhe herſelf confeſſed unto me, and yeſterday, openly in the great chamber, when the aſſembly was full, and ſome papiſts preſent, ſhe took occaſion to ſpeak of religion, and then openly ſhe profeſſed herſelf to be of the papiſt religion, and took upon her to patronize the ſame, more earneſtly than ſhe had done a great while afore, altho' her defences and arguments were ſo weak, that the effect of her ſpeech was only to ſhew her zeal; and afterwards to me alone, when I miſliked to ſee her become ſo confidently backward in religion, Why, ſaid ſhe, would you have me to loſe France and Spain, and all my friends in other places, by ſeeming to change my religion, and yet I am not aſſured the queen my good ſiſter will be my aſſured friend, to the ſatisfaction of my honour and expectation.

No. XXVII. (Vol. II. p. 273.)

A Letter from my lord Herries to my lord Scroop and ſir F. Knollys, September 3d, 1568.

MY lords, pleaſit your honourable lordſhips, I am informed by James Borthwick, lately come from the queen's majeſty your ſoverane, that is ſchawin to her high- Cott. Lib. Cal. C. An original in his own hand.

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highneſs, I ſhuld have ridden in Crafurdmure, ſen my laſt cuming into this realm, upon the earl of Murray's dependants. And that I ſuld have cauſit, or been of counſall to Scottiſmen to have ridden in England, or ſlay or ſpùlzie her majeſty's ſubjects.

My lords, I thought it right needful becauſe your lordſhips is, by your ſoverane, commanded to attend upon the queen's majeſty my miſtreſs, ſo having daily acceſs in thir matters, to declare upon the truth; humbly deſiring that your lordſhips will, for God's cauſe, certificate the queen your ſoverane the ſame.

As God lives, I have neither conſented, nor any wiſe had knowledge of any Scottiſman's riding in England, to do the ſubjects thereof hurt in bodies or goods, ſene the ſiege of Leith; and as I underſtand it ſhall be fund true, that gif ony ſic open hurt be done, it is by the queen my ſovereign's diſobedients, and that I have not ridden nor hurt no Scottiſhman, nor commanded no hurt to be done to them ſen my coming from the queen's majeſty of England, it is well kend, for that never ane will complain of me.

I HAVE done more good to Crawfurdmure nor ever the earl of Murray has done, and will be loather to do them any harm than he will. Except the queen's majeſty your ſovereign, command ſic falſe reports to be tryit, quhereof this is altogidder an inventit leaſing, her grace ſall be trublit, and tyne the hearts of true men here, quhom of ſic report ſall be made, that baith would ſerve hir, and may, better than they unworthy liars.

My lords, I underſtand the queen's majeſty your ſovereign is not contented of this bruite, that there ſhould ony Frenchmen come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counſall of their cuming, nor has no ſic certainty thereof, as I hear by Borthwick's report, from the queen's majeſty your ſovereign. And gif I might as well ſay it, as it is true indeed, her grace's ſelf is all the wyitt, and the counſall that will never let her take order with my maiſtreſs cauſe. For that our ſovereign havand her majeſty's promiſe, be writing, of luff, friendſhip, and aſſiſtance gif need had ſo requirit, enterit that realm, upon the 16 day of May, ſen that time the queen's majeſty has commanded me diverſe times to declare ſhe would accept her cauſe, and do for her, and to put her in peaceable poſſeſſion of this realme,

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realme, and when I required of her majeſty, in my maiſtreſs name, that her highneſs would either do for her, (as her ſpecial truſt was ſhe wold) according to her former promiſes, or otherwiſe give her counſal, wold not conſent, (as I ſhow her grace I fand diverſe repugnant) than that ſhe would permit her to paſs in France, or to ſome other prince to ſeek ſupport, or failing hereof, (quhilk was agains all reaſon) that ſhe would permit her to return in her awin countrie, in ſic ſempil manner as ſhe came out of it, and ſaid to her majeſty ane of thir, for her honour, would not be refuſit, ſeeand that ſhe was comed in her realm upon her writings and promiſes of friendſhip. And ſicklike, I ſaid to her highneſs, gif my maiſtreſs had the like promiſe of her nobility and eſtates, as ſhe had of herſelf, I ſhould have reprovit them highly, gif they had not condeſcendit to one of thir three, and ſo I ſay, and ſo I write, that in the warld it ſhall be maiſt reprehendable, gif this promiſe taketh not other good effect, nor yet it does. Notwithſtanding, I get gud anſwer of thir promiſes of friendſhip made to my ſovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore direct it from her highneſs to ſtay the army that cuiſt down our houſes. And alſua, in the proceeding of this late pretendit parliament, promiſed twenty days before the time to myſelf to have cauſed it been diſchargit. And yet contrary to this promiſe, have they made their pretendit manner of forfaulture of 31 men of guid reputation, biſhops, abbottis, and barroni, obedient ſubjects to our ſovereign, only for her cauſe.

They have alſo diſponit, ſen our ſovereign's cauſe was taken upon hand be the queen's majeſty of that realm, an hundred thouſand pound Scots worth of her awin true ſubjects geir, under the color of the law, groundit upon their falſe, treaſonable, ſtowin, authority.

The murders, the oppreſſions, the burnings, the raviſhing of women, the deſtruction of policy, both eccleſiaſtical and temporal, in this mean time, as in my former writings I ſaid it was lamentable to ony chriſtian man to hear of, except God gif grace, the profeſſion of the evangile of Jeſus Chriſt profeſſit be your pince, counſall and realme, be mair myndit, nor the auld inamity that has ſtand betwixt the realms, many of my countrymen

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will doubt in this article, and their proceedings puttis my ſelf in Sanct Thomas belief.

Now, my lords, gif the queen's majeſty of that realm, upon quhais promiſe and honour my maiſtreſs came there, as I have ſaid, will leave all the French writings, and French phraſes of writings, quhilks amongis them is over meikle on baith the ſides unfit, and plainly, according to the auld true cuſtom of Ingland and Scotland, quherein be a word promiſt truth was obſerv'd, promiſe, in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of Ingland, quhereof ſhe is deſcendit, and preſently wears the diadem, that ſhe will put my maiſtreſs in her awin country, and cauſe her as queen thereof in her authority and ſtrength to be obeyit, and to do the ſame will appoint an certain day within two months at the fartheſt, as we underſtand this to be our weil, ſua will we, or the maiſt part of us all, follow upon it, leaving the Frenchmen, and their evil French phraſes togidder. And therefore, and for the true perpetual friendſhip of that realm, will condition, and for our part, with the grace of Almighty God, keep ſic heads and conditions of agreement, as noble and wiſe men can condeſcend upon, for the weill of this hail iſland. As I have been partlings declaring to the queen your ſovereign, quhilk I ſhew to your lordſhips ſelfis both in religion, in the puniſhment of the earl Bothwile, for the queen's laſt huſband's ſlaughter, and for a mutual band of amity perpetually to remain amangis us.

Doubtless, my lords, without that, we may find ſic time and friendly working, as may gif us occaſion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our ſovereign agains our will to reſt where ſhe is, under the promiſe of friendſhip. As I have baith ſaid, and will ever affirm, made by your ſovereign, quhilk was only cauſe of her grace's coming in that realme, and ſeek the help and moyen of French, or Spaniſh, till expulſe this treaſonable and falſe pretendit authority, quhilk means to reign above us.

My lords, I deſire your lordſhips conſider, that it is he, that maiſt deſires the amity betwixt Ingland and Scotland to continue, and of a poor man beſt cauſe has, that writ this.

My brother, the laird of Skirling, ſchaws me, that in your lordſhips communing with him, it appearit to him, your

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your mind was we ſhold ſuffer the earl of Murray to work, altho' it were agains reaſon to us, and complain thereof to the queen's majeſty, and her highneſs wald ſee it reformit. My lords, her majeſty will be over meikle troublit to reform the wranges we have ſuſtainit already. For I am ſure, gif reaſon and juſtice may have place, our maiſtreſs, and we her ſubjects, have received expreſs wrang, far above two hundred thouſand pounds ſterling, in the time of this unhappy government, ſeeing the reformation of ſa great cauſes, comes, now a days, ſo ſlowlie, and the ungodly law of oblivion in ſic matters ſo meikle practis'd, I think, nowther for the queen's honour, nor our weill, your lordſhips would ſua mean, nor that it is good to us to follow it. And that ye will give your ſovereign ſic advertiſement thereof, as your good wiſdoms ſhall find in this cauſe meet. It will be true and frindful working for us, indeed, and nowther French phraſes, nor boaſting, and finding little other effect, that will cauſe us to hold away the Frenchmen. This is plainly written, and I deſire your lordſhip's plain anſwer, for in truth and plainneſs langeſt continues gud friendſhip, quhilk in this matter I pray God may lang continue, and have your lordſhips in his keeping. Off Dumfreis, the 3d day of September 1568.

Your lordſhips at my power
to command leifully

HERRIS.

Queen Mary to Q. Elizabeth.

1568. Cott. lib. Cal. 1. A original.

MADAME ma bonne ſoeur. J'ay reſceu de vos lettres, d'une meſme dete; l'une, ou vous faites mention de l'excuſe de Monſr. de Murra pour tenir ſon pretendu parlement, qui me ſemble bien froid, pour obtenir plus de tollerance que je m'eſtois perſuadée n'avoir par voſtre promeſſe, quant a n'offer donner commiſſion de venir ſans un parlement pour leur peu de nombre de nobleſſe alors, je vous reſpons, qu'ils n'ont que trois on quatre d'avantage, qui euſſent auſſi bien dit leur opinion hors de parlement, qui n'a eſté tenu tant pour cette effect, mais pour faire ce qu'expreſſement nous avions requis eſtre empeſchés, qui eſt la forfalturé de mes ſubjects pour m'avoir eſtés fidelles, ce que je m'aſſurois, juſques a heir, avoir eu en promeſſe de vous, par la lettre écrite a mi lord Scrup

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e maiſtre Knoleis vous induire a ire contre eulx, voire, a les enſayre reſentir; toutefois je vois que je l'ay mal pris, j'en ſuis plus marrie, pour ce que ſur votre lettre qu'il me montrerent, et leur parole, je l'ay ſi divulguement aſſuray que pour vengeance que j'en deſiraſſe, ſi non mettre difference entre leur faux deportemens, et les miens ſinceres. Dans voſtre lettre auſſi datée du 10me d'Aouſt, vous metties ces mots. " I think your adverſe party, upon my ſundry former advices, will hold no parliament " at all; and if they do, it ſhall be only in form of an " aſſembly, to accord whom to ſend into this realm, and " in what ſort; for otherwiſe, if they ſhall proceed in manner of a parliament, with any act of judgment againſt " any perſon, I ſhall not, in any wiſe, allow thereof; and " if they ſhall be ſo overſeen, then you may think the " ſame to be of no other moment, than the former procedures; and by ſuch their raſh manner of proceeding, " they ſhall moſt prejudice themſelves; and be aſſured to " find me ready to condemn them, in their doings." Sur quoy, j'ay contremandé mes ſerviteurs, les faiſſant retirer, ſouffrant ſelon voſtre commandement d'etre fauſſement nommés traitres, par ceulx, qui le ſont de vray; et encore d'etre provoques par eſcarmons dies, et par prinſes de mes gens et lettres, et au contraire vous etes informée que mes ſubjects ont evahis les voſtres, Madame, qui a fait ce rapport n'eſt pas homme de bien, car laird de Seſford et ſon fils ſont et ont eſtes mes rebelles depuis le commencement; enquirés vous, s'ils n'eſtoient a Donfris aveques eulx, j'avoies offri reſpondre de la frontiere, ce qui me fut refuſé, ce qui m'en devroit aſſes deſcharger, neanmoins, pour vous faire preuve de ma fidelité, et de leur falſité, s'il vous me fayte donner le nom des coulpables, et me fortifier, je commanderay mes ſubjects les pour ſuivre, ou ſi vous voules que ce ſoit les voſtres, les miens leur ayderont; je vous prie m'en mander voſtre volonté, au reſte mes ſubjects fidelles ſeront reſponſables a tout ce que leur ſera mis ſu les contre vous, ni les voſtres, ni les rebelles, deſpuis que me conſeillates les faire retirer. Quant aux François, j'eſcrivis que l'on m'en fit nulle pourſuite, car j'eſperois tant en vous, que je n'en aurois beſoign,—je ne ſçeu ſi le dict aura en mes lettres, mais je vous jure devant Dieu que je ne ſcay choſe du monde le leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour ceſt occaſion, et ſi ils

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ſi ſont, c'eſt ſans mon ſceu ni conſentement, Pourquoy je vous ſupplie ne me condamner ſans m'ouire, car je ſuis preſt de tenir tout ce que j'ay offert a Meſter Knoleis, et vous affure que voſtre amité, qu'il vous pleſt m'offrir, ſera reſcue avant toutes les choſes du monde, quant France ſervit la pour preſſer leur retour a ceſte condition, que prenies mes affaires en mein, en ſoeur, et bonne ami, comme ma Francé eſt en vous; mais une choſe ſeule me rende confuſe, j'ay tant d'enemis qu'ont votre oreille, la quelle ne pouvant avoir par parolle, toutes mes actions vous ſont deſguiſées, et falſement raportees, par quoi il m'eſt impoſſible de m'aſſurer de vous, pour les manteries qu'on vous a fait, pour deſtruire voſtre bonne volenté de moy; par quoy je deſirerois bien avoir ce bien vous faire entendre ma ſincere et bonne affection, laquelle je ne puis ſi bien deſcrire, que mes enemis a tort ne la decoloré. Ma bonne ſoeur, gagnes moy; envoyés moy querir, n'entrés en jalouſie pour faulx raports de celle que ne deſire que votre bonne grace; je me remettray ſur Meſter Knoleis a qui je me ſuis librement deſcouverte, et apres vous avoir baiſée les mains, je prierai Dieu vous donner en ſanté, longue et heureuſe vie. De Boton, ou je vous promets, je n'eſpere pertir, qu'aveques voſtre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aouſt.

No. XXVIII. (Vol. II. p. 274.)

Queen Elizabeth to the earl of Murray.

Paper Office. From a copy corrected by ſecretary Cecil.

RIGHT truſty and right well beloved couſin, we greet you well. Where we hear ſay, that certain reports are made in ſundry parts of Scotland, that whatſoever ſhould fall out now upon the hearing of the queen of Scotts cauſe, in any proof to convince or to acquit the ſaid queen concerning the horrible murder of her late huſband our couſin, we have determined to reſtore her to her kingdom and government, we do ſo much miſlike hereof, as we cannot indure the ſame to receive any credit: and therefore we have thought good to aſſure you, that the ſame is untruly deviſed by the authors to our diſhonour. For as we have been always certified from our ſaid ſiſter, both by her letters and meſſages, that ſhe is by no means guilty or participant of that murder, which we wiſh to be

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true, so surely if she should be found justly to be guilty thereof as hath been reported of her, whereof we would be very sorry, then, indeed, it should behove us to consider otherwise of her cause than to satisfy her desire in restitution of her to the government of that kingdom. And so we would have you and all others think, that should be disposed to conceive honourably of us and our actions.

Indorsed 20 Sept. 1568.

No. XXIX. (Vol. II. p. 281.)

Sir Francis Knollys to Cecil, the 9th of October 1568, from York.

An original. Paper Office.

—MY lord's grace of Norfolk sending for me to Bolton, to attend upon him here Thursday last, I made my repair hither accordingly, meaning to stay here until Monday next; as touching the matters of the commission, that his grace and the rest have from her highness, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto passed, and altho' the matters be too weighty for my weak capacity, to presume to utter any opinion of mine own thereof, yet I see that my lord Herris, for his parte laboureth a reconciliation, to be had without the extremity of odious accusations; my lord of Ledington also saith to me, that he could wish these matters to be ended in dulce maner, so that it might be done with safety; of the rest you can conceive, by the advertisements and writings, sent up by our commissioners.

A Letter from the bishop of Ross to the queen of Scots, from York, October 1568.

Cott Lib. Calig. C. 1. A Copy.

PLEIS your majesty I conferred at length with A. ane great part of a night, who assurit me that he had reasoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpose not to end your cause at this time, but to hold the same in suspence, and did what was in her power, to make the E. pursue extremity, to the effect F. and his adherents might utter all they could to your dishonour, to the effect to cause you come in disdain with the hail subjects

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jects of this realm, that ye may be the mair unable to attempt any thing to her diſadvantage. And to this effect is all her intention, and when they have produced all they can againſt you, D. will not appoint the matter inſtantly, but tranſport you up in the country, and retain you there till ſhe think time to ſhew you favour, which is not likely to be haſtily, becauſe of your uncles in France, and the fear ſhe has of yourſelf to be her unfriend. And therefore their counſel is, that ye write an writing to the D. meaning that ye are informit that your ſubjects which has offendit you.—This in effect that your majeſty hearing the eſtate of your affairs as they proceed in York, was informed that her majeſty was informed of you, that you could not gudely remit your ſubjects in ſuch ſort as they might credit you hereafter, which was a great cauſe of the ſtay of this controverſy to be ended. And therefore perſuading her D. effectually not to truſt any who had made ſuch narration. But like as ye had rendered you in her hands, as moſt tender to you of any living, ſo prayit her to take na opinion of yout but that ye wauld uſe her counſell in all your affairs, and wald prefer her friendſhip to all others, as well uncles as others, and aſſure her to keep that thing ye wald promiſe to your ſubjects by her advice. And if D. diſcredit you, ye wald be glad to ſatisfy her in that point be removing within her realm in ſecret and quiet manner, where her G. pleaſed, until the time her G. were fully ſatisfied, and all occaſion of diſcredit removed from her. So that in the mean time your realm were holden in quietneſs, and your true ſubjects reſtored and maintained in their own eſtate, and ſic other things tending to this effect. And affirms that they believe that this may be occaſion to cauſe her credit you that ye offer ſo far; and it may come that within two or three months ſhe may become better-minded to your grace, for now ſhe is not well minded, and will not ſhew you any pleaſure for the cauſes aforeſaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand.

A. The laird of Lethington,
B. The duke of Norfolk.
C. Was the day he rode to Cawood.
D. The queen of England.
E. The queen of Scots commiſſioners.
F. The earl of Murray.

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No. XXX. (Vol. II. p. 293.)

Deliberation of Secretary Cecil's concerning Scotland, Dec. 21, 1568.

Paper Office. THE beſt way for England, but not the eaſieſt, that the queen of Scots might remain deprived of her crown, and the ſtate continue as it is.

THE ſecond way for England profitable, and not ſo hard. —That the queen of Scots might be induced, by ſome perſwaſions, to agree that her ſon might continue king, becauſe he is crowned, and herſelf to remain alſo queen; and that the government of the realm might be committed to ſuch perſons as the queen of England ſhould name, ſo as for the nomination of them it might be ordered, that a convenient number of perſons of Scotland ſhould be firſt named to the queen of England, indifferently for the queen of Scots, and for her ſon, that is to ſay the one half by the queen of Scots, and the other by the earle of Lennox, and lady Lennox, parents to the child; and out of thoſe, the queen's majeſty of England to make choice for all the officers of the realm, that are, by the laws of Scotland, diſpoſable by the king or queen of the land.

THAT until this may be done by the queen's majeſty, the government remain in the hands of the earl of Murray as it is, providing he ſhall not diſpoſe of any offices or perpetuals to continue any longer but to theſe offered of the premiſes.

THAT a parliament be ſummoned in Scotland by ſeveral commandments, both of the queen of Scots and of the young king.

——THAT hoſtages be delivered unto England on the young king's behalf, to the number of twelve perſons of the earle of Murray's part, as the queen of Scots ſhall name; and likewiſe on the queen's behalf, to the like number as the earle of Murray ſhall name; the ſame not to be any that have by inheritance or office cauſe to be in this parliament, to remain from the beginning of the ſummons of that parliament, until three months after that parliament; which hoſtages ſhall be pledges, that the friends of

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of either part ſhall keep the peace in all caſes, till by this parliament it be concluded, that the ordinance which the queen of England ſhall deviſe for the government of the realm (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the ſame was before the parliament at Edin^r. the Decem^r. 1567) ſhall be eſtabliſhed to be kept and obeyed, under pain of high treaſon for the breakers thereof.

——THAT by the ſame parliament alſo be eſtabliſhed all executions and judgments given againſt any perſon for the death of the late king.

——THAT by the ſame parliament, a remiſſion be made univerſally from the queen of Scots to any her contrarys, and alſo from every one ſubject to another, ſaving that reſtitution be made of lands and houſes, and all other things heritable, that have been by either ſide taken from them which were the owners thereof at the committing of the queen of Scots to Lochlevin.

THAT by the ſame parliament it be declared who ſhall be ſucceſſors to the crown next after the Q. of Scots and her iſſue; or elſe, that ſuch right of the D. of Chatelherault had, at the marriage of the Q. of Scots with the lord Darnley, may be conſerved and not prejudiced.

THAT the Q. of Scots may have leave of the queen's majeſty of England, twelve months after the ſaid parliament, and that ſhe ſhall not depart out of England, without ſpecial licence of the queen's majeſty.

THAT the young king ſhall be nouriſhed and brought up in England, till he be years of age.

IT is to be conſidered, that in this cauſe the compoſition between the queen and her ſubjects may be made with certain articles, outwardly to be ſeen to the world for her honour, as though all the parts ſhould come of her, and yet for the ſurety of contrarys, that certain betwixt her and the queen's majeſty are to be concluded.

No. XXXI. (Vol. II. p. 296.)

The Queen to ſir Francis Knolleys, 22 January 1568-9.

WE greet you well, we mean not, at this point, by any writing, to renew that which it hath pleaſed God to make grievous to us and ſorryful to yow; but Paper Office.

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but forbearing the same as unmeet at this point, having occasion to command yow in our service, and yow also whilest you are to serve us. We require yow to consider of this that followeth with like consideration and diligence, as hitherto yow have accustomate in our service; at the time of our last letters written to yow the fourteenth of this month for removing of the queen of Scots, we had understanding out of Scotland of certain writings sent by her from thence into Scotland, amongst the which one is found to contain great and manifest untruths touching us and others also, as shall and may plainly appear unto yow by the copy of the same, which likewise we send you, and because at the same time we were advertised, that it should be shortly proclaimed in Scotland, though then it was not, we thought good first to remove the queen, before we would disclose the same, and then expect the issue thereof; and now, this day, by letters from our cousin of Hunsdon we are ascertained, that since that time the same matters contained in the writing, are published in diverse parts of Scotland, whereupon we have thought it very meet, for the discharge of our honor, and to confound the falsehood contained in that writing, not only to have the same reproved by open proclamation upon our frontiers, the copy whereof we do herewith send yow, but also in convenient sort to charge that queen therewith, so as she may be moved to declare the authors thereof, and persuaders of her to write in such slanderous sort such untruths of us; and in the mean season, we have here stayed her commissioners, knowing no other whom we may more probably presume to be parties hereunto, than they, until the queen shall name some other, and acquit them; who being generally charged, without expressing to them any particularity, do use all manner of speeches to discharge themselves; wherefore our pleasure is, that ye shall, after ye have well perused the copy of this writing sent to yow, speedily declare unto her, that we have good understanding given us of diverse letters and writings, sent by her into Scotland, signed by her own hand, amongst which, one such writing is sent with her commandment expressly as now it is already published, as we are much troubled in mind that a princess as she is having a cause in our hands so implicated with difficultys and calamitys, should either conceave in her own mind, or allow of them that should devise such false,

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falſe, untrue, and improbable matters againſt us, and our honor, and ſpecially to have the aventure to have the ſame being known ſo untrue to be publiſhed; and you ſhall alſo ſay, becauſe we will not think ſo ill of her, as that it ſhould proceed of herſelf, but rather ſhe hath been counſelled thereunto, or by abuſe made to think ſome part thereof to be true, we require her, even as ſhe may look for ony favour at our hands, that ſhe will diſburden herſelf as much as truly ſhe may herein, and name them which have been the authors and perſwaders thereof, and ſo ſhe ſhall make as great amends to us as the caſe may require; after you have thus far proceeded, and had ſome anſwer of her, whether ſhe ſhall deny the writing abſolutely, or name any that have been the adviſers thereof, you ſhall ſay unto her that we have ſtayed her commiſſioners here, untill we may have ſome anſwer hereof, becauſe we cannot but impute to them ſome part of this evil dealing, untill by her anſwer the authors may be known; and as ſoon as you can have direct anſwers from her, we pray you to return us the ſame; for as the caſe ſtandeth, we cannot but be much diſquieted with it, having our honour ſo deeply touched contrary to any intention in us, and for any thing we know in our judgment the earl of Murray and others named in the ſame writing void of thought for the matters, to them therein imputed; you may impart to the queen of Scots either the contents of the ſlanderous letter, or ſhew her the copy to read it, and you may alſo impart this matter to the lord Scroop, to join with you there as you ſhall think meet.

Sir Francis Knolleys to queen Elizabeth, from Wetherby, the 28th January 1568.

——I WILL ſuppreſs my own griefs, and paſs them over with ſilence, for the preſent learning of your majeſty—and for this queen's anſwer to the coppie of her ſuppoſed letter ſent unto Scotland, I muſt add this unto my brother's letter, ſent unto Mr. Secretary yeſternight late, in proceſs of time ſhe did not deny but that the firſt lines contained in the ſame copie, was agreeable to a letter that ſhe had ſent unto Scotland, which touched my

An original. Paper Office.

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my lord of Murray's promiſe to deliver her ſon into your majeſty's hands, and to avoid that the ſame ſhould not be done without her conſent, made her, ſhe ſaith, to write in that behalf; ſhe ſaith alſo that ſhe wrote that they ſhould cauſe a proclamation to be made to ſtir her people to defend my lord of Murray's intent and purpoſe, for delivering of her ſaid ſon, and impunge his rebellious government, as ſhe termed it, but ſhe utterly denyeth to have written any of the other ſlanderous part of the ſaid letter touching your majeſty; ſhe ſaid alſo, that ſhe ſuſpected that a Frenchman, now in Scotland, might be the author of ſome Scotch letters deviſed in her name, but ſhe would not allow me to write this for any part of her anſwer.

No. XXXII. (Vol. II. p. 305.)

Sir Nicholas Throkmorton to the right honourable the lord of Liddington.

30th of July 1569. From the original.

YOUR letter of the 3d of July, I have received the 15th of the ſame. For anſwer whereunto you ſhall underſtand, that friends here to my lord regent and you do wiſh ſuch a concurrence in all doings, as in matter and circumſtances there ariſe no diſſenſion, or at the leaſt, no more nor other than the difference of countries doth neceſſarily require. We here do think convenient that as few delays be uſed as may be, for the conſummation of the matter in hand, which principally to advance your allowance, proſecution, and ſpeedy promotion in Scotland, is moſt requiſite, for you are ſo wiſe, and well acquainted with the ſtate of the world, and with all our humours, as you know that ſome do allow and diſallow for reaſon, ſome for reſpect of multitude, ſome for reſpect of perſons, and ſo the cauſe is to go forward as men do like to ſet it forward. You are not to ſeek that ſome will uſe cautions, ſome neutrality, ſome delays, and ſome will plainly impunge it. And yet all and every of theſe ſorts will alter their doings, when they ſhall ſee the regent and his favourers accord with the beſt and greateſt part there, and agree with the wiſeſt and ſtrongeſt party here. Tho' the matter has taken its beginning here, upon deep and weighty

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conſiderations, for the weil of both the princes and their realms, as well preſently, as in time to come, yet it is thought moſt expedient, that the regent and realm of Scotland, by you, ſhould propoſe the matter to the queen our ſovereign, if you like to uſe convenience, good order, or be diſpoſed to leave but a ſcar, and no wound of the hurts paſt. I would be glad that this my letter ſhould come to your hands before the convention, whereat it ſeems your queen's reſtoration and marriage to the duke of Norfolk ſhould be propounded, either, to wynne in them both allowance or rejection. To which proceedings, becauſe you pray me to write frankly, I ſay and reaſon thus, me thinketh you uſe a prepoſterous order, to demand the conſent of ſuch perſons, in ſuch matters, as their minds to a good end hath rather been felt or prepared, and therefore there muſt needs follow either a univerſal refuſal, or factious diviſion amongſt you, whereby a blouſtering intelligence muſt needs come to queen Elizabeth of the intended marriage from thence, which ought to have been ſecretly and adviſedly propounded unto her highneſs; hereby you ſee then the meaning is, by this dealing, her Majeſty ſhall be made inexorable, and ſo bring the matter to ſuch paſſe, as this which ſhould have wrought ſurity, quietneſs, and a ſtay to both queens and their realms, ſhall augment your calamity, and throw us your beſt friends into divorce with you, and into unhappy diviſion amongſt ourſelves; for you may not conjecture that the matter is now in deliberation, but expecteth good occaſion for executing; ſure I am you do not judge ſo ſlenderly of the managing of this matter, as to think we have not caſt the worſt, or to enter therein ſo far without the aſſiſtance of the nobility, the ableſt, the wiſeſt, and the mightieſt of this realm, except queen Elizabeth: from whom it hath been concealed until you, as the fitteſt miniſter, might propound it to her, on the behalf of the regent, and the nobility of Scotland. How far maſter Woddes defamations do carry them of queen Elizabeth's affections, and maſter ſecretary's, to aſſiſt the regent and to ſuppreſs the queen of Scots, I know not, nor is it not material; but I do aſſuredly think, that her majeſty will prefer her ſurety, the tranquillity of her reign, and the converſation of her people, before any devicé, which may proceed from vain diſcourſe, or imperfections of paſſions, and inconſiderate affections. And as for Mr. Secretary, you

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you are not to learn, that as he liketh not to go too fast afore, so he coveteth not to tarry too far behind, and specially when the reliques be of no great value or power. If I could as well assure you of his magnanimity, and constancy, as of his present conformity, I would say confidently, you may repose as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leicester, Bedford, Shrewsbury, and the rest of the nobility; all which do embrace and protestе the accomplishment of this case. I have, according to your advice, written presently to my lord regent, with the same zeal and care of his well doing that I owe to him, whom I love and honour. Mr. Secretary hath assured unto him the queen of Scotland's favour and good opinion, wherewith he seemeth to be well satisfy'd. If your credit be, as I trust, hasten your coming hither, for it is very necessary that you were here presently. Q. Elizabeth both doth write to my lord regent in such sort, as he may perceive Mr. Wood's discourses of her majesty's affection to be vain, and Mr. Secretary otherwise bent than he conjectureth of him, the effect of which her majesty's letter you shall understand, by my lord Leicester's letter unto you at this dispatch. At the court, 20th July 1569.

No. XXXIII. (Vol. II. p. 307.)

Part of a Letter from the earl of Murray to L. B. *probably Lord Burleigh.*

1569. Harl. Lib. 37. B. 9. fo. 43.

—BECAUSE I see that great advantage is taken on small occasions, and that the mention of the marriage betwixt the queen my sovereign's mother, and the d. of Norfolk hath this while past been very frequent in both the realms, and then I myself to be spoken of as a motioner, which I perceive is at the last come to her majesty's ears; I will, for satisfaction of her highness, and the discharge of my duty towards her majesty, manifest unto you my interest, and medling in that matter, from the very beginning, knowing whatsoever is prejudicial to her highness, cannot but be hurtful to the king my sovereign, this his realm, and me. What conferences was betwixt the duke of Norfolk, and any of them that were

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were with me within the realm of England, I am not able to declare; but I am no wise forgetful of any thing that passed betwixt him and me, either at that time, or since. And to the end her majesty may understand how I have been dealt with in this matter, I am compelled to touch some circumstances, before there was any mention of her marriage. In York, at the meeting of all the commissioners, I found very — and neutral dealing with the duke, and others her highness's commissioners in the beginning of the cause, as in the making of the others to proceed sincerely, and so furth. During which time, I entered into general speech, sticking at our just defence in the matters that were objected against us, by the said queen's commissioners, looking certainly for no other thing, but summary cognition in the cause of controversy, with a final declaration to have followed. Upon a certain day the lord Lithington secretary rode with the duke to Howard, what purpose they had I cannot say, but that night Lithington returning, and entering in conference with me upon the state of our action, I was advised by him to pass to the duke, and require familiar conference, by the which I might have some feeling to what issue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the house where the duke was lodged, after renewing of our first acquaintance made at Berwick, the time before the assize of Leith, and some speeches passed betwixt us; he began to say to me, how he in England had favour and credit, and I in Scotland had will and friendship of many, it was to be thought there could be none more fit instruments, to travel for the continuance of the amity betwixt the realms, than we two. And so that discourse upon the present state of both, and how I was entered in that action tending so far to the queen's dishonour, I was willed by him to consider how matters stood in this, what honour I had received of the queen, and what inconveniences her defamation in the matters laid to her charge might breed to her posterity. Her respect was not little to the crown of England, there was but one heir. The Hamiltons my unfriends, had the next respect, and that I should esteem the issue of her body would be the more affectionate to me and mine, than any other that could attain to that crown. And so it should be meetest, that she affirmed her dismission made in Lochlevin, and we do abstract the let-

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ters of her hand write, that she should not be defamed in England. My reply to that was, how the matter had passed in parliament, and the letters seen of many, so that the abstracting of the same could not then secure her to any purpose, and yet should we, in that doing, bring the ignominy upon us. Affirming it would not be fair for us that way to proceed, seeing the queen's majesty of England was not made privy to the matter as she ought to be, in respect we were purposely come in England for that end, and for the — of the grants of our cause. The duke's answer was, he would take in hand to handle matters well enough at the court. After this, on the occasion of certain articles, that were required to be resolved on, before we entered on the declaration of the very ground of our action, we came up to the court; where some new commissioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament-house at Westminster, in presence of which commissioners of the said queen, and —— through the —— rebuking of the queen of England's own commissioners, we uttered the whole of the action, and produced such evidences, letters, and probations, as we had, which might move the queen's majesty to think well of our cause. Whereupon expecting her highness' declaration, and seeing no great likelihood of the same to be suddenly given, but daily motions then made to come to an accord with the said queen, our matters in hand in Scotland, in the mean season, standing in hazard and danger, we were put to the uttermost point off our wit, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for justification of our causes, yet appeared no end, but continual motions made to come to some accord with the queen, and restore her to whole or half reign. I had no other answer to give them, but that I should neither do against conscience or honour in that matter. Notwithstanding seeing this my plain answer wrought no end, nor dispatch to us, and that I was informed that the duke began to mislike of me, and to speak of me, as that I had reported of the said queen irreverently, calling her —— and murderer, I was advised to pass to him, and give him good words, and to purge myself of the things objected to me, that I should not open the sudden entry of his evil grace, nor have him to our enemy ——considering his greatness. It being therewithal whispered and

Probably *adulterer.*

shewed

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ſhewed to me, that if I departed, he ſtanding diſcontented and not ſatisfied, I might peradventure find ſuch trouble in my way, as my throat might be cut before I came to Berrick. And therefore, ſince it might well enough appear to her marriage, I ſhould not put him in utter deſpair, that my good will could not be had therein. So few days before my departing I came to the park in Hampton court, where the duke and I met together, and there I declared unto him that it was come to my ears, how ſome miſreport ſhould be made of me to him, as that I ſhould ſpeak irreverently and raſhly of the ſaid queen my ſovereign's mother, ſuch words as before expreſſed, that he might ——— thereby my affection to be ſo alienate from her, as that I could not love her, nor be content of her preferment, howbeit he might perſwade himſelf of the contrary, for as ſhe once was the perſon in the world that I loved beſt, having that honour to be ſo near unto her, and having received ſuch advancement and honour by her, I was not ſo ungrate or ſo unnatural ever to wiſh her body harm, or to ſpeak of her as was untruly reported of me, (howſoever the truth was in the ſelf) and as to the preſervation of her ſon, now my ſovereign, had moved me to enter into this cauſe, and that her own preſſing was the occaſion of that was uttered to her —— whenſoever God ſhould move her heart to repent of her bypaſt behaviour and life, and after her known repentance, that ſhe ſhould be ſeparate from that ungodly and unlawful marriage that ſhe was entered in, and then after were joined with ſuch a godly and honourable a perſonage, as were affectioned to the true religion, and whom we might truſt, I could find in my heart to love her, and to ſhew her as great pleaſure, favour, and good will, as ever I did in my life; and in caſe he ſhould be that perſonage, there was none whom I could better like of, the queen —— in —— of England being made privy to the matter, and ſhe allowing thereof, which being done, I ſhould labour in all things that I could, to her honour and pleaſure, that were not prejudicial to the king my ſovereign's eſtate, and prayed him not to think otherwiſe of me, for my affection was rather buried and hidden within me, awaiting until God ſhould direct her to know herſelf, than utterly alienated and abſtracted from her; which he ſeemed to accept in very good part, ſaying, Earl of Murray thou thinks of me

Probably *ſuſpect.*

Probably *diſhonour.*

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that thing, whereunto I will make none in England or Scotland privy, and thou haſt Norfolk's life in thy hands. So departing, I came to my lodging, and by the way and all night, I was in continual thought and agitation of mind, how to behave myſelf in that weighty matter, firſt, imagining whereunto this ſhould tend, if it were attempted without the queen's majeſty of England's knowledge and good will, this realm and I myſelf in particular having received ſuch favour and comfort at her highneſs's hands, and this whole iſle ſuch peace and quietneſs, ſince God poſſeſſed her majeſty with her crown. And on the other part, ſeeing the duke had diſcloſed him to me, proteſting, none other were or ſhould be privy to our ſpeech, I tho't I could not find in my heart to utter any thing that might endanger him; moved to the utterm oſt with theſe cogitations, and all deſire of ſleep then removed, I prayed God to ſend me ſome good relief and outgate, to my diſcharge, and ſatisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in converſation with my lord of Leiceſter, in his chamber at the court, where he began to find ſtrange with me, that in the matter I made ſo difficult to him, ſtanding ſo preciſely on conference, and how when I had in my communication with the duke, come ſo far —— and there he made ſome diſcourſe with me, about that which was talke betwixt us, I perceiving that the duke had —— the matter to my lord of Leiceſter, and thinking me thereby diſcharged at the duke's hands, therefore I repeated the ſame communication in every point to my lord of Leiceſter, who deſired me to ſhew the ſame to the queen's majeſty, which I refuſed to do, willing him if he tho't it might import her highneſs any thing, that he as one —— by her majeſty, and for many benefits received at her highneſs's hands is obliged to wiſh her well, ſhould make declaration of the ſame to her majeſty, as I underſtand by ſome ſpeech of her highneſs to me, he did. This my declaration to the duke was the only cauſe, that ſtaid the violence and trouble prepared for me unexecuted, as I have divers ways underſtood. The ſame declaration I was obliged to renew ſince in writings of —— ſent to my ſervant John Wood. The ſum whereof, I truſt, he ſhewed the duke, and ſomething alſo I wrote to himſelf for it was tho't this

Probably *diſcloſed.*

ſhould

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should redeem some time, that the duke should not suddenly declare him our enemy, for his greatness was oft laid before me, and what friendship he had of the chief of the nobility in England, so that it might appear to the queen's majesty of England—so cold towards us, and doing nothing publickly that might seem favourable for us, we had some cause to suspect that her highness should not be contrarious to the marriage when it should be proposed to her. The sharp message sent by her majesty with the lord Boyd, who had the like commission from the duke tending so far to the said queen's preferment, as it were proposing one manner of conditions from both, gave us to think that her highness had been foreseen in the duke's design, and that she might be induced to allow thereof. But howbeit it was devised in England, that the lord of Lethington should come as from me, and break the matter to her highness, as her majesty in a letter declared that she looked for his coming, yet that devise proceeded never of me, nor the noblemen at the convention could no wise accord to his sending, nor allow of the matter motioned, but altogether misliked it, as bringing with the same great inconveniencies to the surety and quietness of this whole isle; for our proceedings have declared our misliking and disallowance of the purpose from the beginning, and if we had pleased he was ready for the journey. And in likewise it was devised to give consent that the ——— between the said queen and Bothwell, should be suffered to proceed in this realm, as it was desired by the said lord Boyd, by reason we could not understand what was the queen's majesty's pleasure, and allowance in that behalf ——— And whereas ye mean, that her highness was not made privy of any such intention, the fault was not in me. The first motion being declared, as I have written, to my lord of Leicester, and by him imparted to her majesty, so far as I could perceive by some speech of her highness's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how just necessity moved me not to require directly, that which the duke appeared so ——— unto. And for my threatenings, to assent to the same, I have expressed the manner; the persons that laid the matter before me, were of my own company. But the duke since hath spoken, that it was his writing which saved my life at that time. In con-

Probably divorce.

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cluſion I pray you perſuade her majeſty, that ſhe let no ſpeeches nor any other thing paſſed and objected to my prejudice, move her majeſty to alter her favour—towards me, or any ways to doubt of my aſſured conſtancy towards her highneſs; for in any thing which may tend to her honour and ſurety, I will, while I live, beſtow myſelf, and all that will do for me, notwithſtanding my hazard or danger, as proof ſhould declare, when her majeſty finds time to employ me.

No. XXXIV. (Vol. II. p. 318.)

William Maitland of Ledington, to my lord of Leiceſter, March 20th, 1570, from Ledington.

An original. THE great deſolation threatened to this whole realm, be the diviſions thereof in dangerous factions, doth preſs me to frame my letters to your lordſhip, in other ſort, than were behovefull for me, if I had no other reſpect, but only to maintain my private credit; therefore I am driven to furniſh them with matter, which I know not to be plauſible, whereupon by miſconſtruing my meaning, ſome there may take occaſion of offence, thinking that I rather utter my own paſſions, than go about to inform your lordſhip truly of the ſtate; but I truſt my plain dealing ſhall bear record to the ſincerity of my meaning; to make the ſame ſenſible, I will lay before your lordſhip's eyes, the plat of this country; which firſt is divided into two factions, the one pretending the maintenance of the king's reign, the other alledging the queen to have been cruelly dealt withall, and unjuſtly deprived of her ſtate; the former is compoſed of a good number of nobility, gentlemen, and principal burroughs of the realme, who ſhall have, as Mr. Randolph beareth us in hand, the queen's majeſty your ſovereign's allowance and protection; the other hath in it ſome moſt principall of the nobility, and therewithall, good numbers of the inferior ſort, throughout the whole realm, which alſo look aſſuredly that all kings do allow their quarrel and will aid them accordingly. What conſequence this diviſion will draw after it, I leave it to your lordſhip's conſideration; there is fallen out another diviſion, accidentally, by my lord regent's death, which is like to change the ſtate of the other two factions, to encreaſe the one, and diminiſh the other, which is grounded

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grounded upon the regiment of the realm. Some number of noblemen aſpire to the government, pretending right thereto by reaſon of the queen's demiſſion of the croun, and her commiſſion granted at that time for the regiment during the king's minority; another faction doth altogether repine againſt that diviſion, thinking it neither fit nor tolerable, that three or four of the meaneſt ſort amongſt the earls, ſhall preſume to challenge to themſelves a rule over the whole realme, the next of the blood, the firſt in rank, the greateſt alway both for the antientry of their houſes, degree, and forces, being negleckted; this order they think prepoſterous, that the meaner ſort ſhall be placed in public function to command, and the greater ſhall continue as private men to obey; beſides that, they think if the commiſſion had in the beginning been valewable, (which the moſt part will not grant) yet can it not be extended to the preſent, for that the conditions thereunto annexed are ceaſed, and ſo the effect of the whole void; the latter part of this diviſion hath many pretences, for beſides the queen's faction, which is wholly on that ſide, a great number of theſe that have heretofore profeſſed the king's obedience, do favour the ſame, and will not yield to the government of the other, whoſe preferment for reſpects they miſlike, when the queen's faction ſhall be increaſed, with a part of the king's, and theſe not of leaſt ſubſtance, and yow may judge what is like to enſue; an other incident is like to move men to enter in further diſcourſes, it is given out here in Scotland that the queen's majeſty is ſetting forth ſome forces towards the border, which ſhall enter this realm, to countenance theſe, that aſpire to the regiment, and ſuppreſs the contrary faction, and bruits are ſpread, that the ſame ſhall be here out of hand; theſe that think themſelves of equal force with their contrary faction at home, are rather an overmatch to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of neceſſity, and evil counſellors, and ſeek alſo the maintenance of ſome foreign prince, whereby her majeſty (altho' no further inconvenient were to be feared) muſt be driven to exceſſive charges, and it would appear there were a conſpiracy of all the elements at one time to ſet us together by the ears, for now when the rumour of your forces coming towards the border is ſpread abroad, even at the ſame time is arrived at Dumbarton, a galzeon,

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with a meſſenger ſent expreſly from the king of France, to that part of the nobility that favours the queen, to learn the ſtate of the country, and what ſupport they lack or deſire, either for furtherance of her affairs, or for their own ſafety; aſſuredly this meſſage will be well received, and ſuffered accordingly, this is the preſent ſtate of Scotland. Now, if your lordſhip would alſo know my opinion, how to choice the beſt, as the caſe ſtandeth; I will in that alſo ſatisfie your lordſhip, I am required from them to deal plainly, and your lordſhip ſhall judge whether I do ſo or not; for I think it plain dealing, when I ſimply utter my judgment, and go not about to diſguiſe my intents. I truſt the queen's majeſty hath a deſire to retain at her devotion the realme of Scotland, which ſhe hath gone about to purchaſe, with beſtowing great charges, and the loſs of ſome of her people; this deſire is honourable for her highneſs, profitable for both the countrys, and of none to be diſallowed; ſpecially if it be (as I take it) to have the amity of the whole realm, for it is not a portion of Scotland can ſerve her turn, nor will it prove commodious for her to ſuit the friendſhip of a faction of Scotland, for in ſo doing, in gaining the beſt, ſhe may loſe the more, and the ſame would bring all her actions with us in ſuſpicion, if ſhe ſhould go about to nouriſh factions amongſt us, which meaning I am ſure never entered into her majeſty's heart; then if it be the friendſhip of the whole ſhe doth demand, let her not, for pleaſure of one part, go about to overthrow the remnant, which will not be ſo faiſable, as ſome may give her to underſtand; but rather, by way of treaty, let her go about to pacify the whole ſtate, bring the parties to an accord, reduce us all by good means to an uniformity, ſo ſhall ſhe give us all occaſion to think well of her doings, that ſhe tendeth our wealth, and provokes us univerſally to wiſh unto her majeſty a moſt proſperous continuance; by the contrary, if, for the pleaſure of a few, ſhe will ſend forces to ſuppreſs theſe whom they miſlike, and ſo conſequently offend many; men be not ſo faint hearted, but they have courage to provide for their own ſafety, and not only will embrace the means partly offered, but will alſo procure further, at the hand of other princes. This for mine own part, I do abhor, and proteſt I deſire never to ſee forces of ſtrangers to ſet foot within this land, yet I know not what point neceſſity may drive men into, as if men in the middle

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of the ſea were in a ſhip, which ſuddenly ſhould be ſet on fire, the fear of burning would make them leap into the ſea, and ſoon after the fear of the water would drive them to cleive again to the fired ſhip, ſo for avoiding preſent evil, men will many times be inforced to have recourſe to another, no leſs dangerous. Truſt me forces will not bring forth any good fruit to her majeſty's behove, it muſt be ſome way of treaty ſhall ſerve the turn, wherein by my former letters your lordſhip doth know already what is my judgment; you ſee how plainly I do write, without conſideration in what part my letters may be taken, yet my hope is that ſuch as will favourably interpret them, ſhall think that I mean as well to her majeſty, and that realme, as theſe that will utter other language. I wiſh the continuance of the amity betwixt the two countrys, without other reſpect, and will not conceal from her majeſty any thing, to my knowledge, tending to the prejudice thereof; if I ſhall perceave her majeſty taking frank dealings in evil part, I ſhall from thenceforth forbear; in the mean ſeaſon I will not ceaſe to trowble your lordſhip, as I ſhall have occaſion to write, and ſo I take my leave of your lordſhip.

No. XXXV. (Vol. II. p. 325.)

Letter of queen Eliſabeth to the earle of Sufſeks, July 2d, 1570.

RIGHT truſty and well beloved couſin we greet you well, this day we have received your letters of 28 the laſt month, with all other letters, ſent from Scotland, and mentioned in your letters, whereunto anſwer is deſired to be given before the tenth of this month; which is a very ſhort time, the weightineſs of the matters, and the diſtance of the places conſidered; nevertheleſs we have, as the ſhortneſs could ſuffer it, reſolved to give this anſwer following, which we will that you, by warrand hereof ſhall cauſe to be given in our name to the earl of Lennox and the reſt of the noblemen conveened with him. Where it is by them, in their letters, and writings alledged, that for lack of our reſolute anſwer, concerning the eſtabliſhing of the regiment of the realm, under their young king, great inconveniencies have happened, and therefore they

Camden. MS. Hiſtory, vol. 2. p. 189.

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they have deferred now at their laſt convention to determine of the ſamine, who ſhall have the place of governour, until the 21ſt this month, before which time they require to have our adviſe, in what perſon or perſons the government of that realm ſhall be eſtabliſhed, we accept very thankfully the goodwill and reputation they have of us, in yielding ſo frankly to require and follow our adviſe in a matter, that toucheth the ſtate of their king, theirſelves, and realm ſo near, wherein as we perceive, that by our former forbearing to intermeddle therein, they have taken ſome diſcomfort, as though that we would not have regard to their ſtate and ſurety, ſo on the other part, they of their wiſdoms ought to think, that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governour by name, for that howſoever we ſhould mean well if we ſhould do ſo, yet it could not be without ſome jealouſy in the heads of the eſtate, nobility, and community of that realm, that the government thereof ſhould be by me ſpecially named, and ordained; ſo as finding difficulty on both parts, and yet miſliking moſt that they ſhould take any diſcomfort by our forbearing to ſhow our mind therein, we have thought in this ſort for to proceed, conſidering with ourſelves how now that realm had been a good ſpace of time ruled in the name of their king, and by reaſon of his baſe age, governed heretofore by a very careful and honourable perſon, the earle of Murray, untill that by a miſchievous perſon, (an evil example) he was murdered, whereby great diſorder and confuſion of neceſſity had, and will more follow, if determination be not made of ſome other ſpecial perſon, or perſons, to take the charge of governor, or ſuperior ruler, ſpeciall for adminiſtration of law and juſtice, we cannot but very well allow the deſire of theſe lords to have ſome ſpecial governor to be choſen; and therefore being well aſſured, that their own underſtanding of all others is beſt to conſider the ſtate of that realm, and to diſcern the abilities and qualities of every perſon meet and capable for ſuch a charge, we ſhall better ſatisfie ourſelves, whom they by their common conſent ſhall firſt chooſe, and appoint to that purpoſe, then of any to be by us aforehand uncertainly named, and that becauſe they ſhall perceave that we have care of the perſon of their king, who by nearneſs of blood, and in reſpect to his ſo young years, ought to be very tender and dear to us, we ſhall not hide

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our opinion from them, but if they ſhall all accord to name his grandfather, our couſin, the earl of Lennox to be governor alone, or jointly with others, (whom we hear to be in the mean time by their common conſent appointed lieutenant-general) reaſon moveth us to think that none can be choſen in that whole realm, that ſhall more deſire the preſervation of the king, and be more meet to have the government for his ſafety, being next to him in blood of any nobleman of that realm, or elſewhere; and yet hereby, we do not mean to preſcribe to them this choice, except they ſhall of themſelves fully and freely allow thereof; furthermore we would have them well aſſured, that whatſoever reports of deviſes are, or ſhall be ſpread or invented, that we have already yielded our mind to alter the ſtate of the king or government of that realm, the ſame are without juſt cauſe or ground by us given, for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuſe, what the queen of Scots on her part ſhall ſay and offer, not only for her own aſſurance, but for the wealth of that realm, yet not knowing what the ſame will be, that ſhall be offered, we mean not to break the order of law and juſtice, by advancing her cauſe, or prejudging her contrary, before we ſhall deliberately and aſſuredly ſee, upon the hearing of the whole, ſome place neceſſary, and juſt cauſe to do; and therefore finding that realm ruled by a king, and the ſame affirmed by laws of that realm, and thereof inveſted by coronation and other ſolemnities uſed and requiſite and generally ſo received be the whole eſtates, we mean not by yielding to hear the complaints or informations of the queen againſt her ſon, to do any act whereby to make concluſion of governments, but as we have found it, ſo to ſuffer the ſame to continue, yea not to ſuffer it to be altered by any means that we may impeſhe, as to our honour it doth belong, as by your late actions hath manifeſtly appeared, untill by ſome juſtice, and clear cauſe, we ſhall be directly induced otherwiſe to declare our opinion; and this we would have them to know to be our determination and courſe that we mean to hold, whereon we truſt they for their king may ſee how plainly and honourably we mean to proceed, and how little cauſe they have to doubt of us, whatſoever to the contrary they have or ſhall hear; and on the other part, we pray them of their wiſdoms to think how unhonourable,

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nourable, and contrary to all human order it were for us, when the queen of Scotland doth ſo many ways require to hear her cauſe, and doth offer to be ordered be us in the ſame, as well for matters betwixt ourſelves and her, as betwixt herſelf and her ſon and his party of that realm, againſt which offers no reaſon could move us to refuſe to give ear, that we ſhould aforehand openly and directly, before the cauſes be heard and conſidered, as it were, give a judgment or ſentence either for ourſelves or for them whom ſhe maketh to be her contraries. Finally ye ſhall admoniſh them, that they do not, by miſconceiving our good meaning towards them, or by indirect aſſertions of their adverſary, grounded on untruths, hinder or weaken their own cauſe, in ſuch ſort, that our good meaning towards them ſhall not take ſuch effect towards them, as they ſhall deſire, or themſelves have need of. All this our anſwer ye ſhall cauſe to be given them, and let them know, that for the ſhortneſs of time, this being the end of the ſecond of this month, we neither could make any longer declaration of our mind, nor yet write any ſeveral letters, as if time might have ſerved we would have done. 2d July 1570.

No. XXXVI. (Vol. II. p. 325.)

The biſhop of Roſs to ſecretary Lidington from Chattiſworth.

15th June 1570. I HAVE received your letters dated the 26th of May, here at Chattiſworth, the 10 of January, but on the receipt thereof I had written to you at length, like as the queen did with my lord Levingſton, by the which you will be reſolved of many points contained in your ſaid letter. I writ to you that I received your letter and credit from Thomas Cowy at London, and ſent to Leiceſter to know the queen of England's mind whether you ſhould come here or not. He ſent me word, that ſhe will no ways have you come as one of the commiſſioners, becauſe ſhe is yet offended with you; and therefore it appears good that ye come not hither, but remain where you are, to uſe your wiſdom and diligence, as may beſt advance the queen's affairs, for I perceive your weill and ſafety depends thereon, in reſpect to the great feid and enmi-

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ennimity born againſt you by your Scots people, and the great heirſhip taken of your father's landis; both were ſure demonſtrations of their malice. Yet I am encouraged by your ſtout and deliberate mind. Aſſure yourſelf no diligence ſhall be omitted to procure ſupports forth off all parts where it may be had. We will not refuſe the aid neither of Papiſt, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And ſeeing my lord Seaton is deſirous to go into Flanders, the queen thinks it very neceſſary that he ſo do, for the duke D'Alva has gotten expreſs command of the king of Spain to give ſupport, and I am ſure that there he ſhall have aid both of Flanders and the pope, for it abides only on the coming of ſome men of countenance, to procure and receive the ſame. He muſt needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the ſame here. The queen has already written to the duke D'Alva for this effect, advertizing of his coming; there is certain ſums of money coming for ſupport of the Engliſhmen, as I wrote to you before from the pope. Whereupon I would he had a general commiſſion to deal for them, and receive ſuch ſums as ſhall be given. The means ſhall be found to cauſe you to be anſuerit of the ſums you writ for, to be diſpoſit upon the furniſhing of the caſtle of Edinburgh, ſo being ſome honeſt and true man were ſent to Flanders to receive it, as ſaid is, which I would you prepared and ſent. Orders ſhall be taken for the metals as you writ of. We have proponit your avyce in entering to treat with the queen of England, for retiring of her forces puntyoally for lack of aid. Your anſwers to the Engliſhmen are tho't very good, but above all keep you weill out of their hands, in that caſe, eſtote prudentes ſicut ſerpentes. You may take experience with the hard dealing with me, how ye would be uſed if ye were here, and yet I am not forth of danger, being in medio nationis pravæ; always no fear, with God's grace, ſhall make me ſhrink from her majeſty's ſervice. Since the queen of England has refuſed that you come here, it appears to me quod nondum eſt ſedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the moſt fit for the purpoſe, Rothes were alſo meet, if he and I were not both of one ſirname; ſo the treaty would get the leſs credit either in Scotland or here. Therefore avys, and

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and ſend the beſt may ſerve the turn, and fail not Robert Melvil come with them, whoever comes, for ſo is the queen's pleaſure; in my laſt packet, with James Fogo, to you, in the beginning of May, I ſent a letter of the queen's own handwriting to him, which I truſt ye received. I am ſorry ye come not for the great relief I hoped to have had by your preſence, for you could well have handled the queen of England, after her humour, as you were wont to do. The reſt I refer to your good wiſdom, praying God to ſend you health. From Chattiſworth the 15th of January.

No. XXXVII. (Vol. II. p. 347.)

The declaration of John Cais to the lords of Grange and Lethington zoungare upon the 8th day of Oct. 1571.

WHEREAS you deſire to know the queen's majeſty's pleaſure, what ſhe will do for appeaſing of theſe controverſies, and therewith has offered yourſelves to be at her commandment, touching the common tranquillity of the whole iſle, and the amity of both realms; her pleaſure is in this behalf, that ye ſhould leave off the maintenance of this civil diſcord, and give your obedience to the king, whom ſhe will maintain to the utmoſt of her power.

AND in this doing, ſhe will deal with the regent and the king's party, to receive you into favour, upon reaſonable conditions for ſecurity of life and livings.

ALSO ſhe ſays that the queen of Scotts, for that ſhe has practiſed with the pope and other princes, and alſo with her own ſubjects in England, great and dangerous treaſons againſt the ſtate of her own country, and alſo to the deſtruction of her own perſon, that ſhe ſhall never bear authority, nor have liberty while ſhe lives.

IF ye refuſe theſe gentle offers, now offered unto you, ſhe will preſently aid the king's party, with men, ammunition, and all neceſſary things, to be had againſt you.

WHEREUPON her majeſty requires your anſwer with ſpeed, without any delay.

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No. XXXVIII. (Vol. II. p. 359.)

Articles sent by Knox to the General Assembly, August 5th, 1572.

FIRST, desiring a new act to be made ratifying all things concerning the king and his obedience that were enacted of before without any change, and that the ministers who have contraveened the former acts be corrected as accordeth. Calderw. MS. History, vol. 2. 356.

THAT sute be made to the regent's grace and nobility maintaining the king's cause, that whatsoever proceedeth in this treaty of peace they be mindful the kirk be not prejudg'd thereby, in any sort, and they especially of the ministers, that have been robbed of their possessions within the kirk during the time of the troubles, or otherwise dung and injured, may be restored.

To sute at the regent, that no gift of any bishoprick or other benefice be given to any person, contrary to the tenor of the acts made in the time of the first regent of good memory, and they that are given contra the said acts, or to any unqualified person, may be revoked and made null be an act of secret council, and that all bishopricks, so vacand may be presented and qualified persons nominit thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commissioners of the nobility and of the kirk in the month of January last, and in special to complain upon the giving of bishoprick of Ross to the lord Methven.

THAT no pentions of benefices, great or small, be given be simple donation of any lord regent, without consent of the possessor of the said benefices having tittle thereto, and the admission of the superintendent or commissioners of the province where this benefice lyeth, or of the bishops lawfully elected according to the said order taken at Leith; and desire an act of council to be made thereupon, until the next parliament, wherein the famine may be specially inacted, with inhibition to the lords of session to give any letters or decreets, upon such simple gifts of benefices or pentions not being given in manner above rehearsed, and that the kirk presently assembled declare all such gifts null so far as lyeth in their power.

THAT

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THAT the first form of presentation to benefices, which were in the first and second regent's time, be not changed as now it is commonly; but that this clause be contained in the presentation, that if the person presented make not residance, or be slanderous or found unworthy either in life or doctrine be the judgment of the kirk (to which alwise he shall be subject) or meet to be transported to another room at the sight of the kirk, the said presentation and all that shall fall thereupon shall be null and of no force nor effect; and this to have place also in the nomination of the bishops.

THAT an act be made in this assembly that all things done in prejudice of the kirk's assumption of the third, either by papists or others, by giving of fews, liferents, or sales, or any otherwise disponing the said assumed thirds, be declared null with a solemn protestation the whole kirk dissenteth thereto.

THAT an act be made decerning and ordaining all bishops, admitted to the order of the kirk now received, to give account of their whole rents, and intromissions therewith once in the year, as the kirk shall appoint, for such causes as the kirk may easily consider the same to be most expedient and necessar.

ANENT the jurisdiction of the kirk, that the same be determined in this assembly, because this article hath long been postponed to make sute to the regent and council for remedy against messengers and excommunicate persons.

LAST, That orders be taken anent the procurers of the kirk, who procure against ministers and ministry, and for putting of justice of the kirk's actions in the session.

No. XXXIX. (Vol. II. p. 365.)

Declaration of Henry Killigrew, esq; upon the peace concluded the 23d. Feb. 1572.

BE it known to all men, by these presents, that I Henry Killigrewe, esq; ambassador for the queen's majesty of England. Forasmuch as, at the earnest motion and solicitation being made to me, on her highness's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the same favourably extended towards the right honour-

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honourable George earl of Huntly, lord Gordon and Baidzenoch, and the lord John Hamilton, ſon to the duke's grace of Chaſtellarault, and commendatour of the abby of Abirbrothock, for the ſurety of their lives, livings, honours, and goods of them, their kinfolks, friends, ſervants, and partakers, now properly depending on them; in treating of the which ſaid pacification, the murders of the late earl of Murray uncle, and the earl of Levenax, grandfather, late regent to the king's majeſty of Scotland his realm and lieges, as alſo an article touching the diſcharge for the fructis or moveable goods, which the ſaid perſons have taken fra perſons profeſſing the king's obedience, before the damages done or committed by them, ſince the 15th day of Junij 1567, and before the penult day of July laſt by paſſed, by reaſon of the common cauſe or any thing depending thereupon, being thought by the king's commiſſaries matteris of ſuch wecht and importance, as the king's preſent regent could not conveniently, of himſelf, remit or diſcharge the ſame. Yet in reſpect of the neceſſity of the preſent pacification, and for the weill of the king, and common quietneſs of this realm and lieges, it is accorded, that the matters of remiſſion of the ſaid murderers, and of the diſcharge of the ſaid fructis, moveable goods, and other damages, be moved by the perſons deſiring the ſaid remiſſions and diſcharge to the queen's majeſty my ſovereign, to as the princeſs neareſt both in blood and habitation to the king of Scots. And whatſoever her majeſty ſhall adviſe and counſel touching the ſaid remiſſion and diſcharge, the ſaid lord regent, for the weill of the king and univerſal quietneſs of the realm of Scotland, ſhall perform, obſerve, and fulfil the ſame. And in likewiſe, the ſaid earl Huntly, and commendatour of Abirbrothock, being urged to have delivered pledges and hoſtages for obſervation of the conditions of the ſaid accord and pacification, hath required me in place thereof, in her majeſty's name, by virtue of my commiſſion, to promiſe for them, that they ſhall truly and faithfully obſerve and keep the ſaid pacification, and all articles and conditions thereof, for their parts, and that it would pleaſe her majeſty to interpoſe herſelf, as ſurety and cautioner for them to that effect, to the king's majeſty of Scotland their ſovereign and his ſaid regent, which I have done and promiſe to do, by virtue of her majeſty's commiſſion, as by the honourable and plain dealing of the ſaid earl and lord;

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their intention to peace well appears, the ſame being moſt agreeable to the mind of the queen's majeſty my ſovereign, which ſo long by her miniſters hath travelled for the ſaid pacification, and in the end, at her motion and ſolicitation, the ſame is accorded, knowing her majeſty's godly deſire, that the ſame may continue unviolate, and that the noblemen and others now returning to the king's obedience ſhall have ſufficient ſurety for their lives, livings, honours, and goods. Therefore in her majeſty's name, and by virtue of my commiſſion, I promiſe to the aforeſaid earl Huntly and commendator of Abirbrothock, that by her majeſty's good means, the ſaid remiſſion and diſcharge ſhall be purchaſed and obtained to them, their kinfolks, friends, ſervants, and partakers, now properly depending upon them (the perſons ſpecified in the firſt abſtinence always excepted), as alſo that the ſaid pacification ſhall be truly obſerved to them, and that her majeſty ſhall interpoſe herſelf as conſervatrix thereof, and endeavour herſelf to cauſe the ſame to be truly and ſincerely kept in all points and articles thereof accordingly. In witneſs whereof, I have to this preſent ſubſcribed with my hand, and ſealed the ſame with mine own ſeal the 13th day of Feb. Anno Domini 1572. And this to be performed by me, betwixt the date hereof, and the parliament which ſhall be appointed for their reſtitution, or at the furtheſt before the end of the ſaid parliament. Sic ſubſcribitur.

The biſhop of Glaſgow's note concerning the queen of Scotland's dowry.

1576. Cott. lib. Calig. B. 4.

THE queen of Scotland, dowager of France, had for her dowry, beſides other poſſeſſions, the dukedom of Turene, which was ſolemnly contracted and given to her by the king and eſtates of parliament; which dukedom ſhe poſſeſſed peacefully till 1576, and then, upon the pacification betwixt the king and Monſ. his brother, to augment whoſe appenage this dutchy was given, to which the queen of Scotland yielded, upon account of princes, who were her near relations, provided the equivalent which was promiſed her ſhould be faithfully performed. So that year, after a great many ſolicitations, in lieu of that dutchy, ſhe had granted her the county of Vermandaiſe, with the lands and bailiwicks of Seuley and Vetry; tho' 'tis

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'tis known that county and the other lands were not of equal value with Turene, but was promiſed to have an addition of lands in the neighbourhood to an equal value. Upon this letters patent were granted, which were confirmed in the courts of parliament, chamber of accounts, court of aids, chamber of the treaſury, and others neceſſary; upon which ſhe entered into poſſeſſion of that county, &c. Afterwards, by a valuation of the commiſſioners of the chamber of accounts, it was found that the revenue of that county, &c. did not amount to thoſe of Turene, by 3000 livres. But inſtead of making up this deficiency according to juſtice, ſome of the privy council, viz. M. de Cheverney, the preſidents of Bellievre, Nicocholay, and St. Bonet, in the name of the king, notwithſtanding of her aforeſaid loſſes, did ſell and alienate the lands of Senlis, and the dutchy of Eſtaimpes, to madam de Montpenſier, from whom the king received money; of which ſale the counſellors aforeſaid obliged themſelves to be guarantees, which hath hindered the aforeſaid queen to have juſtice done her. So that madam de Montpenſier hath been put in poſſeſſion of theſe lands of Senlis, contrary to all the declaration, proteſtation, and aſſurances of the king of France to queen Mary's ambaſſadors. So that the queen of Scotland is diſpoſſeſſed of her dowry, contrary to all equity, without any regard to her quality.

No. XL. (Vol. II. p. 371.)

A Letter from the lord of Lochlevin to the regent Mortoun.

IT will pleaſe your grace, I received your grace's letter, and has conſidered the ſame. The parſon of Camſey was here at me before the receipt thereof, directed fra my lord of Mar, and the maſter anent my laſt written, which was the anſwer of the writing that the maſter ſent to me, which I ſend to your grace, deſiring me to come to Sterling to confer with them. I had given my anſwer before the receipt of your grace's letter, that I behuiffit to be beſyd Sanct Androis, at ane friends tryſt, which I might not omit; I underſtand by my ſaid couſin, that the king's majeſty is to write to divers of the nobility to come there, anent your lordſhip's trial, and that he

3d March 1577. E. of Mortoun's Archives. Band. B. No. 19.

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had written before his departing to my lord Monthrois. I understand likewise, he will write to your grace to come there for the same effect, which I tho't good to make your grace foreseen of the same, praying your grace, for the love of God Almighty, to look upon the best, and not to sleep in security, but to turn you with unfeigned heart to God, and to consider with yourself, that when the king's majesty was very young, God made him the instrument to divest his mother from her authority, who was natural princess, for offending of his Divine Majesty, and that there ran no vice in her, but that the same is as largely in you, except that your grace condescended not to the destruction of your wife. For as to harlotry and ambition, I think your grace has as far offended God, and far more in avaritiousness, which vyces God never left unplagued, except speedy repentance, which I pray God grant to your grace, for otherwise your grace can never have the love of God nor man. I pray your grace flatter not yourself; for if your grace believes that ye have the good will of them that are the king's good willers ye deceive yourself; for surely I see perfectly that your own particulars are not contented, lat be the rest, and that most principally for your hard dealing. I pray your grace, beir with me that I am thus hamlie, for certainly it proceeds from no grudge, but from the very affection of my heart towards your grace, which has continued since we were acquainted. And now I see, because the matter stands in your grace's handling with the king's majesty, for certainly if your grace fall forth with him now, I see not how ye shall meet hereafter; pray I your grace to call to God, and look on the best, and cast from your grace both your vices, to wit, ambition and avaritiousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the farthest. If your grace will command me in any offices that are honest, that I may do your grace pleasure in at Sterling, advertise of your grace's mind, and shall do to my power and knowledge, and this with my heartlie, &c. &c.

To

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To our truſty couſin the lord Lochleven.

From the original. E. of Morton's Archives, Bund. B. No. 31.

TRUSTY couſin, after our moſt hearty commendations, we received your letter of the 3d of March, and as we take your plainneſs therein in good part, as proceeding from a friend and kinſman, in whoſe good affection towards us we never doubted, ſo ye may not think it ſtrange that we purge ourſelves ſo far of your accuſation, as in conſcience we find not ourſelves to have offended in. As touching our offence to God, we intend not to excuſe it, but to ſubmit us to his mercy; for ambition ſurely we think none can juſtly accuſe us; for in our private eſtate we could, and can live as well contented, as any of our degree in Scotland, without further aſpiring. The bearing too the charge of the government of the realm, indeed, mon led us, or any other that ſhall occupy that place, not ſimply to reſpect ourſelves, but his majeſty's rowme which we ſupply, and therein not tranſcending the bounds of meaſure, as, we truſt, it ſhall not be found we have done, it ought not to be attributed to any ambition in us. For as ſoon as ever his majeſty ſhall think himſelf ready and able for his own government, none ſhall more willingly agree and advance the ſame nor I, ſince I think never to ſet my face againſt him, whoſe honour, ſafety, and preſervation has been ſo dear unto me, nor I will never believe to find otherwiſe at his hand than favour, although all the unfriends I have in the earth were about him, to perſuade him to the contrary. As we write unto you, our friendly dealing and confidence in the houſe of Mar is not thankfully acquit; as we truſt yourſelf conſiders; but becauſe the ambaſſadors of England, my lord of Angus, the chancellor, treaſurer, and ſome noblemen rides weſt this day to ſee the king, we pray you heartily addreſs yourſelf to be there as ſoon as ye can, and as ye ſhall find the likelihood of all things, let us be advertized thereof with your own advice, by Alex[r] Hay, whom we have thought good to ſend weſt, ſeeing my lord of Angus from Sterling rides to Douglas. And ſo we commit you in the protection of God. At Holyrood houſe, the 4th of March 1577.

For the avaritiouſneſs laid to our charge, indeed it lies not in us ſo liberally to deal the king's geare, as to ſatisfy all cravers, nor never ſhall any ſovereign and native

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born prince, let be any officer, eſchew the diſdains of ſuch, as thinks them judges to their own reward; in many cauſes I doubt not to find the aſſiſtance of my friends, but where my actions ſhall appear unhoneſt, I will not crave their aſſiſtance, but let me bear my own burthen.

No. XLI. (Vol. II. p. 399.)

Letter of Walſingham's to Randolph, February 3, 1580-1.

Cott. Lib. Calig. C. 6.

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the laſt directed unto his lordſhip, containing a report of your negociation with the king and his council, in your ſecond audience, wherewith having made her majeſty acquainted, ſhe ſeemed ſomewhat to *miſlike*, that you ſhould ſo long *defer to deal for the enlargement of* Empedocles. But I made anſwer in your behalf, that I thought you were directed by the advice of the ſaid Empedocles *friends*, in the ſoliciting of that cauſe, who knew what time was fitteſt for you to take to deal therein, with moſt effect, and beſt ſucceſs, with which anſwer, her majeſty did in the end reſt very well ſatisfied, touching that point.

YOUR putting of us in hope that d'Aubigny might eaſily be won at her majeſty's devotion, was at firſt interpreted to have been ironie ſpoke by you. But ſince it ſeemeth you inſiſt upon it, I could wiſh you were otherwiſe perſuaded of the man, or at leaſt kept that opinion to yourſelf, for conſidering the end and purpoſe of his coming into Scotland, as may be many ways ſufficiently proved, was only to advance the queen's liberty, and reception into that government, to overthrow religion, and to procure a foreign match with Villenarius, wherein the incloſed copy, which you may uſe to good purpoſe there, ſhall partly give you ſome light; there is no man here can be perſuaded that he will change his purpoſe, for ſo ſmall advantage as he is likely to find by it, and therefore you ſhall do well to forbear to harp any more upon that ſtring, as I have already written to you. The prince of Orange ſending, I fear will not be in time that it may do any good; for beſides that theſe people are in themſelves

ſlow

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ſlow in their reſolutions, their own affairs are, at preſent, ſo great, their ſtate ſo confuſed, and the prince's authority ſo ſmall, that he cannot ſo ſoon take order in it; and yet for mine own part, I have not been negligent or careleſs in the matter, having more than three weeks paſt, ſent one about it, from whom nevertheleſs I do yet hear nothing. The letters you deſire ſhould be written thither by the French miniſters, I have given order to Mr. Killingrew to procure, who, I doubt not, will carefully perform it, ſo that, I hope, I ſhall have them to ſend you by the next. And ſo I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving couſin and ſervant,

FRA. WALSINGHAM.

This letter is an original, and in ſome parts of it wrote in cyphers and explained by another hand. By Empedocles is underſtood Morton. By Villenarius, the king of Scots. D'Aubigney is marked thus o 1 o.

3 Feb. 1580.

Sundry notes gathered upon good diligence given, and in time to be better manifeſted, being now thought meet to be in convenient ſort uſed and laid againſt D'Aubigny, to prove him abuſing the king, the nobility, and that ſtate.

FIRST, it hath been informed by credible means, that D'Aubigney was privy and acquainted with la Navè the king's mother's ſecretary, coming into Scotland, and of his errand there, tending chiefly to perſuade the king, to think and eſteem it an evil preſident for princes that ſubjects might have power to deprive their lawful ſovereigns, as they did his mother, who was not minded, by any mean, to defeat him, either of the preſent government of that realm, or yet of the poſſeſſion of the crown and inheritance thereof, but rather to aſſure the ſame to him: and that for the accompliſhment of that aſſurance, the king ſhould have been adviſed and drawn to have governed,

Cott. Lib. Calig. C. 6. An original.

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verned, for ſome ſhort time, as prince, calling D'Aubigny to rule as governor of the prince, by commiſſion from the queen his mother, until the king's enemies were ſuppreſſed; after which time D'Aubigny ſhould have power given to eſtabliſh and reſign that kingdom to the king, by his mother's voluntary conſent, whereby all ſuch, as had before been in action againſt the queen or her authority, might be brought to ſtand in the king's mercy. And for that the king might live in more ſurety, D'Aubigny ſhould be declared both ſecond perſon in ſucceſſion of that crown, and alſo lieutenant general of Scotland, and that D'Aubigny before his departure out of France, received commiſſion from the king's mother to the effects remembered, or near the ſame. That in this behalf he had conference with the biſhops of Glaſgow, and Roſs, and with ſir James Baford, with which perſons, and with the duke of Guiſe, he had and hath frequent intelligence, and by ſir James Baford he was adviſed to confer with the lord John Hamilton before his repair into Scotland, whereunto he agreed, and yet afterwards he ſent one John Hamilton to the ſaid lord John to excuſe him in this part, alledging, that he did forbear to come to him, leſt thereby he ſhould mar or hinder greater effects to be executed by him in Scotland.

THAT before his coming into that realm, the nobility and country were well quieted and united in good concord, with great love betwixt the king and nobility, and amongſt the nobleſſe, but hath both drawn the king againſt ſundry of the chiefeſt of his nobility, that have been moſt ready, and have expended their blood and poſſeſſions to preſerve religion, and defend the king's perſon, his government and eſtate, and alſo hath given occaſion of great ſuſpicions and offence to be engendered betwixt the king and his nobility, and eſpecially with ſuch as have been in action againſt the king's mother, and her authority, who by force and means of the ſaid commiſſion and practice, ſhould have been brought into moſt dangerous condition; and who alſo may find themſelves in no ſmall perill while he poſſeſſes the king's ear, abuſeth his preſence, and holdeth ſuch of the principal keys and ports of his realm, as he preſently enjoyeth.

THAT he hath drawn the king not only to forget the great benefits done to him and his realme, by the queen's majeſty of England, but alſo to requite the ſame with ſundry

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ſundry ſigns of great unthankfulneſs and wounding therewith the honour of her majeſty, and thereby hath adventured to ſhake the happy amity long time continued betwixt thoſe princes.

And whereas theſe griefs were to be repaired by gentle letters and good offers, to have paſſed and been done betwixt them: In which reſpect the king and council having reſolved to write to her majeſty, for her highneſs better ſatisfaction in the late negotiation of Mr. Alexander Hume of Northberwick, had given order to the king's ſecretary to frame that letter: He minding to break the bond of amity in ſunder, willed the ſecretary to be ſure that nothing ſhould be inſerted in that letter whereby the king ſhould crave any thing at her hands, ſeeking thereby to cut off all loving courteſies betwixt them, as by the declaration of the ſaid ſecretary may be better learned, and thereupon further approved.

That under the hope and encouragement of D'Aubigny's protection, Alexander King preſumed with that boldneſs to make his lewd harangue, and by his means hath hitherto eſcaped chaſtiſement and correction, due for his offence.

That ſir James Baford, condemned of the ſlaughter of the king's father, hath been called into the realm by Lennox, without the privity of the king. And whereas the ſaid ſir James found in a green velvet deſk, late the earl of Bothwell's, and ſaw and had in his hands the principal band of the conſpirators in that murder, and can beſt declare and witneſs who were authors and executors of the ſame; he is drawn by Lennox to ſuppreſs the truth, and to accuſe ſuch as he himſelf knoweth to be innocent; and as by order of law, will be ſo found, if they may have due trial, which, contrary to all juſtice, is by Lennox means denied.

This is the charge againſt D'Aubigny, mentioned in the foregoing letter by Walſingham; but by Baford they mean ſir James Balfour.

No. XLII.

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No. XLII. (Vol. II. p. 417.)

The copy of the king of France his directions sent to Scotland with Seineur de la Motte Fenelon. Tranſlated out of the French.

Calderw. MS. Hiſtory. vol. 3. p. 208.

FIRST, on their majeſty's moſt chriſtian part, he ſhall make the moſt honourable ſalutation and viſiting to the moſt ſerene king of Scotland, their good brother and little ſon, that in him is poſſable.

To give him their letters that are cloſed, ſuch and ſuch like as they have written to him with their hands, and to ſhow expreſsly the perfect friendſhip and ſingular affection, that their majeſtys bear to him, and to bring back the anſwer.

To take heed to the things which touch near the moſt ſerene king, to the effect that his perſon may be in no danger, but that it may be moſt ſurely preſerved.

AND that he be not hindered in the honeſt liberty that he ought to have, and that no greater, or ſtraiter guards be about him than he had before.

AND ſuch like, that he be not impeached in the authority, that God hath given to him of king and prince ſovereign above his ſubjects, to the effect he may as freely ordain and command in his affairs, and in the affairs of his country, with his ordinary council, as he was uſed to do of before.

THAT his nobility, barons, and commonality of his country may have their free liberty to reſort to his ſerene majeſty without ſuſpicion of greater guards or more armed men about his perſon than the uſe was, that they be not afraid and hindered to reſort; and further that the ſegnieur de la Motte Fenelon ſall liberally and freely ſpeak to the ſaid ſerene king and council, requiring the re-eſtabliſhing of that that may or hath been changed or altered.

AND that he may know if the principalls of the nobility and other men of good behaviour of the towns and commonality of the country conveens, and are content with the form of government preſently with the ſaid ſerene king, to the end that if there be any miſcontent he may travaile to agree them together, and that he return not without the certainty of the famine.

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And if he may underſtand that there be any who have not uſed them ſo reverently towards the ſaid ſerene king their ſovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majeſty moſt chriſtian the ſaid ſerene king his good brother, giving him council wholly to forget the ſame, and exhorting them to do their duty towards his majeſty, in time coming, in all reſpects with the obedience and true ſubjection they ought him.

And if the ſaid ſeigneur de la Motte perceives the ſaid ſerene king to be in any manner conſtrained of his perſon, authority, liberty, and diſpoſition of his affairs, than he uſed to be, and not convenient for his royal dignity, or as the ſovereignty of a prince does require, that he uſe all moyen lawful and honeſt to place him in the ſamine, and that he imploy as much as the credit of his moſt chriſtian majeſty may do toward the nobility and ſubjects of that country, and as much as may his name, with the name of his crown towards the Scottiſh nation, the which he loves and confides in as much as they were proper Frenchmen.

And that he witneſs to the ſaid ſerene king, and his eſtates, of his conſent, and to all the nobility and principall perſonages of the contry, that his moſt chriſtian majeſtie will continue on his part in the moſt ancient alliance and confederacy, which he hath had with the ſaid ſerene king his good brother, praying his nobility and contry, with his principall ſubjects, to perſevere in the ſamine, in all good underſtanding and friendſhip with him; the which, on his part, he ſhall do, obſerving the ſamine moſt inviolable.

Further his moſt chriſtian majeſty underſtanding that the ſerene king his good brother was contented with the duke of Lenox, and his ſerviſe, the ſaid ſignieur de la Motte had charge to pray his ſerene majeſty that he might remaine beſide him to his contentment, believing that he ſhould more willingly intertain the points of love and confederacie, betwixt their majeſtys and their contrys, becauſe he was a good ſubject to them both; and if he might not remain, without ſome alteration of the tranquillity of his eſtate, that he might retire him to his own houſe in the ſaid contry, in ſurenes, or if he pleaſed to return to France that he might ſurely——and if it pleaſes his ſerene majeſty, to cauſe ceaſe and ſtay the impeachments,

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ments, that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the contry, as they were wont to do of before.

And that there may be no purpose of diffamation, nor no speech but honourable of the most christian king, in that contry, but such like as is spoken most honourably of the serene king of Scotland in France.

He had another head to propone, which he concealed till a little before his departure, to wit, that the queen, the king's mother, was content to receive her son in association of the kingdom.

No. XLIII. (Vol. III. p. 5.)

Lord Hunsdon to sir Francis Walsingham, the 14th of August 1584, from Berwick.

SIR,

Calderw. MS. History, vol. 3. p. 374.

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wednesday last, there came hither to me from the earle, the justice clerk, and sir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour, and the number we should meet withal; so as we concluded the place to be Foulden, the hour to be ten o'clock, and the number with ourselves to be 13 of a side; and the rest of our troops to stand each of them a mile from the town; the one on the one side, the other on the other side, so as our troops were two miles asunder, I was not many horsemen, but I supplied it with footmen, where I had 100 shot on horse, but they were very near 500 horse well appointed: According to which appointment, we met yesterday, and after some congratulations, the erle fell in the like protestations of his good will and readiness to serve the queen's majesty, before any prince in the world, next his sovereign, as he had done heretofore by his letters, and rather more; with such earnest vows, as unless he be worse than a devil, her majesty may dispose of him at her pleasure; this being ended, I entered with him touching the cause I had to deal with him, and so near as I could, left nothing unrehearsed that I had to charge the king or him with any unkind dealing toward

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her majeſty, according to my inſtructions, which without any delay he anſwered preſently, as ye ſhall perceive by the ſaid anſwers ſent herewith; but I replying unto him, he amplified them with many moe circumſtances, but to this effect. Then I dealt with him touching the point of her majeſty's ſatisfaction, for the uttering ſuch practices as has been lately ſet on foot for the diſquieting of her majeſty and her eſtate, who thereof made ſundry diſcourſes, what marriages have been offered to his majeſtie by ſundrie princes, and by what means the earle has ſought to divert them, and for what cauſes; the one, for that be marriage with Spain or France, he muſt alſo alter his religion, which as he is ſure the king will never doe, ſo will he never ſuffer him to hearken unto it, ſo long as he has any credit with him; he denys not but the king has been dealt withal be practices to deal againſt her majeſty, which he has ſo far denied and refuſed to enter into, as they have left dealing therein, but whatſoever the king or he knoweth therein, there ſhall be nothing hidden from her majeſty, as her majeſty ſhall know very ſhortly; ſurely it ſeems by his ſpeeches, that if the king would have yielded thereunto there had been no ſmall company of French in Scotland ere now to diſquiet her majeſty.——This being ended, I dealt with him earneſtly for the ſtay of this parliament, which now approacheth; or at the leaſt that there may be nothing done therein, to the prejudice of theſe noblemen and others now in England, for the forfaulting of their livings and goods; hereupon he made a long diſcourſe to me, firſt of the earl of Angus dealing about the earl of Morton, then of his going out, notwithſtanding of ſundrie gracious offers the king had made him, then of the road of Ruthven, how that preſently after they had the king's majeſty in their hands, they impriſoned himſelf, dealt with the king for putting of the duke out of the realme, the king refuſed ſo to do, they told him plainly that if he would not he ſhould have the earl of Arran's head in a diſh; the king aſked what offence the earl had made? and they anſwered it muſt be ſo, and ſhould be ſo; hereupon, for the ſafeguard of Arran's life, the king was conſent to ſend away the duke, and yet Arran afterwards ſundrie times in danger of his life; I alledged unto him the king's letter to the queen's majeſty, and his acts in council, that they had done nothing but for his ſerviſe, and with his good liking and contentment,

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who anſwered me he durſt do no otherwiſe, nor could not do any thing but that which pleaſed them, with ſuch a number of other their dealings with the king whileſt he was in their hands as are too long to be written, and too bad if they were true; I ſaid the king might have let the queen's majeſty's ambaſſador have known his mind ſecretly, and her majeſty would have relieved him; he anſwered, "that the king was not ignorant that the apprehenſions in that manner, proceeded from Mr. Bow's practice, and thereby durſt not impart ſo much to him, and yet the king was content, and did give remiſſion to as many as would acknowledge their faults, and aſk remiſſion, and ſuch as would not, he thought fit to baniſh, to try their further loyalty, in which time they conſpired the king's ſecond apprehenſion, and the killing of the earle, and others, and ſeduced the miniſters to their faction, and yet not ſatisfied with theſe conſpiracies and treaſonable dealings (as he terms them), are entered into a third, being in England under her majeſty's protection, to diſhonour her majeſty as far as in them lyeth, or at leaſt to cauſe the king conceave ſome unkindneſs in her majeſty, for harbouring of them; I wrote to yow what the conſpiracy was, the taking of the king, the killing of the earle of Arran, and ſome others, the taking of the caſtle of Edin^r. and bringing home the earles, to take the charge of the king; all which (ſays he) is by Drummond confeſſed, and by the provoſt of Glencudden not greatly denied, and the conſtable of the caſtle thereupon fled; the earl brought Drummond with him as far as Langton, where he lay, to have confeſſed the conſpiracy before me, but having at his lighting received a blow on his leg with a horſe, ſo as he could bring him no further, I replied that I thought verily they would not work any ſuch practices in reſpect of the queen's majeſty, abiding within her realme, and if there be any ſuch practices, they have proceeded from others, and they not privie unto them: and that if it be not apparently proved againſt them, that it will be thought to be ſome practice to aggravate the fault, and to make them the more odious to the king. He anſwered me, that it ſhould be proved ſo ſufficiently, that they ſhould not be able with truth to deny it, for their own hands is to be ſhewed to part of it, and therefore concluded, that if her majeſty ſhould ſo preſs the king for them at this time, that would rather hinder this matter of the amitty, nor further

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further it, and that since they seek chiefly his life, he could not, in any reason, seek to do them any good; and besides he assured me, that if he would, he dare not, this last matter being fallen out as it is; and surely if this matter had not fallen out, I would not have doubted the restoring of the earl of Mar very shortly, if her majesty would have employed me therein, but for the earl of Angus, I perceive the king is persuaded that both he, and the rest of the Douglasses, have conceived so mortal an hatred against him and the earl of Arran, about the death of the earl of Morton, as if they were at home, to-morrow next, they would not leave to practice and conspire the death of them both, and therefore a hard matter to do any thing for him: finally, he concluded and required me to assure her majesty from the king, that there shall nothing be hid from her, nor any thing left undone that may satisfie her majesty with reason, and that the king shall never do any thing, nor consent to have any thing done in her prejudice, so long as he had any credit with him, or authority under him. Having this far proceeded, he desired to shew me his commission, which is under the great seal, to himself only, which is as large as may be, and yet sundrie of the privie council there with him, but not one in commission, nor present, nor near us all this time, having spent almost five hours in these matters; he presented to me the master of Gray, who delivered to me a letter from the king in his commendation, whom I perceive the king means to send to her majesty, and therefore requires a safe-conduct for his passage, which I pray yow procure, and to send it so soon as you may. I let him understand of the lord Seaton's negociation with the French king. He swore to me, that Seaton was but a knave, and that it was partly against his will, that he should be sent thither. But his commission and instruction being of no great importance, he yielded the sooner; and if Seaton has gone beyond his instructions, which Arran drew himself, he will make Seaton smart for it. Touching William Newgate, and Mark Golgan, he protested he never heard of any such; he says there was a little poor soul, with a black beard, come thither a begging, who said he was an enemy to Desmond, to which he gave a croun, but never heard of him since, and for any Scots man going into Ireland, he says there is no such matter; if there be, there may be some few raskals that he knows not of; and touch-

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touching the coming of any Jeſuits into Scotland, he ſays it is but the ſlanderous deviſe of the king's enemys, and ſuch as would have the world believe the king were ready to revolt in religion, who the world ſhall well ſee will continue as conſtant therein, as what prince ſoever profeſſed it moſt; and the earl himſelf dos proteſt to me, that to his knowledge, he never ſaw a Jeſuit in his life, and did aſſure me if there was any in Scotland, they ſhould not do ſo much harm in Scotland, as their miniſters would do, if they preach ſuch doctrine as they did in Scotland; and touching one Ballenden, of whom I wrote to yow, I heard from Mr. Colvill, the earle avows conſtantly that he knows not, nor hath not heard of any ſuch man, but he would inquire at the juſtice clerk, and would inform me what he could learn of that; thus I have made yow as ſhort a diſcourſe as I can of ſo many matters, ſo long diſcourſed upon, but theſe are the principal points of all our talk, ſo near as I can remember it, and for this time, I commit yow to the Almighty. At Berwick the 14th of Auguſt, 1584.

The king is very deſirous to have my ſon Robert Cary to come to him. I pray yow know her majeſty's pleaſure.

Arran's Anſwers to the grieffs or articles proponed to the lord Hunſdon, ſet down in another form.

AS to the ſtrait and ſevere perſecution of all ſuch, as have been noted to have been well affected to the queen's majeſty, it cannot appear they were either for that cauſe puniſhed, or hardly dealt with, ſince his majeſty of late has been ſo careful and diligent to choice out good inſtruments to deal betwixt her majeſty and him, as his majeſty has done in electing of your lordſhip and me; beſides that in all their accuſations, their good will and affection born to her majeſty was, at no time, laid to their charge, but capital actions of treaſon many way tried now be the whole three eſtates, and more than manifeſt to the world.

As for his majeſty inhibiting, by publick proclamation, ſuch as were baniſhed, not to repair in England; the bruits and whiſperings that came to his majeſty's ears, of their conſpiracies and treaſons, which ſince ſyn they accompliſhed,

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compliſhed, ſo far as in them lay, moved his majeſty to inhibit them to repair to any place, ſo near his majeſty's realm, leſt they ſhould have attempted theſe things, which ſhortly they did attempt, being farther off, and more diſtant both by ſea and land.

As for reception of Jeſuits, and others, her majeſty's fugitives, and not delivering them according to his promiſe, as your lordſhip propones, his majeſty would be moſt glad, that ſo it might fall out by your lordſhip's traviles, that no fugitive of either realme ſhould be received of either, and when ſo ſhall be, it ſhall not fail on his majeſty's part, albeit in very deed this time bygone his majeſty has been conſtrained to receipt her majeſty's mean rebells and fugitives, contrar his good naturall, ſince her majeſty hath receipt, in effect, the whole and greateſt rebells and traitors his majeſty in his own blood ever had; as for the agreement with his majeſty's mother anent their aſſociation, his majeſty has commanded me, in preſence of your lordſhip's ſervant, to aſſure her majeſty and your lordſhip, in his majeſty's name, that it is altogether falſe, and an untruth, nor any ſuch like matter done yet.

His majeſty has alſo commanded me to aſſure your lordſhip, that it is alſo falſe and untrue, that his majeſty has, by any means direct or indirect, ſent any meſſage to the pope, or received any from him; or that his majeſty has dealt with Spain or any foreigners, to harm her majeſty or her realm, which his majeſty could have no honour to do, this good intelligence taking place, as I hope in God it ſhall.

As concerning the contemptuous uſage of her majeſty's miniſters, ſent unto his majeſty, his majeſty uſed none of them ſo; and if his majeſty had, ſufficient cauſe was given by them, as ſome of their own writs do yet teſtify; as I more particularly ſhowed your lordſhip at Foulden at our late meeting.

No. XLIV. (Vol. III. p. 9.)

The Scottiſh queen's offers upon the effect of her liberty propounded by her ſecretary Naw, November 1584.

THE queen my miſtreſs being once well aſſured of your majeſty's amity, Cott. Lib. Calig. C. 8. A copy.

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1. WILL declare openly that ſhe will (as it is ſincerely her meaning) ſtraitly to join unto your majeſty, and to the ſame to yield and bear the chief honour and reſpect, before all other kings and princes in Chriſtendom.

2. SHE will ſwear, and proteſt, ſolemnly, a ſincere forgetfulneſs of all wrongs which ſhe may pretend to have been done unto her in this realm, and ſhe will never, in any ſort or manner whatſoever, ſhew offence for the ſame.

3. SHE will avow and acknowledge, as well in her own particular name, as alſo for her heirs and others deſcending of her for ever, your majeſty, for juſt, true, and lawful queen of England.

4. AND conſequently, will renounce, as well for herſelf as for her ſaid heirs, all rights and pretences which ſhe may claim to the crown of England, during your majeſty's life, and other prejudice.

5. SHE will revoke all acts and ſhews, by her heretofore made, of pretence to this ſaid crown to the prejudice of your majeſty, as may be the taking of the arms and ſtile of queen of England, by the commandment of king Francis her late lord and huſband.

6. SHE will renounce the pope's bull for ſo much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of your majeſty, and will declare that ſhe will never help and ſerve herſelf with it.

7. SHE will not proſecute, during your majeſty's life, by open force or otherways, any publick declaration of her right in the ſucceſſion of this realm, ſo as ſecret aſſurance be given unto her, or at the leaſt public promiſe, that no deciding thereof ſhall be made in the prejudice of her, or of the king her ſon, during your majeſty's life, nor after your deceaſe, until ſuch time as they have been heard thereupon, in publick, free, and general aſſembly of the parliament of the ſaid realm.

8. SHE will not practiſe, directly or indirectly, with any of your majeſty's ſubjects, neither within nor out of your realm, any thing tending to war, civil or foreign, againſt your majeſty and your eſtate, be it under pretext of religion, or for civil and politick government.

9. SHE will not maintain or ſupport any of your ſubjects declared rebels, and convicted of treaſon againſt you.

10. SHE

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10. She will enter into the association, which was shewed her at Wingfield for the surety of your majesty's life, so as there be mended or right explicated some clauses which I will shew to your majesty, when I shall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes, for any war or trouble against this state, and will renounce, from this time, all enterprises made or to be made in her favour for that respect.

12. Furthermore, this realm being assailed by any civil or foreign war, she will take part with your majesty, and will assist you in your defence with all her forces and means, depending of herself and with all her friends of Christendom.

13. And to that effect, for the mutual defence and maintenance of your majesty, and the two realms of this isle, she will enter with your majesty in a league defensive as shall be more particularly advised, and will perswade as much as in her, the king her son to do the like. The leagues with all parts abroad remaining firm, and especially the antient league between France and Scotland, in that which shall not be against this present.

14. She will enter into a league offensive, having good assurance or secret declaration and acknowledgment of her right in the succession of this crown, and promise that happening any breach betwixt France and this realm, (which she prayeth God never to happen) the just value of her dowry shall be placed for her in lands of the revenue of the crown.

15. For assurance of her promises and covenants, she doth offer to abide herself in this realm for a certain time (better hostage can she not give than her own person) which, so as she be kept in the liberty here before propounded, is not in case to escape secretly out of this country, in the sickly state she is in, and with the good order which your majesty can take therein.

16. And in case your majesty do agree to her full and whole deliverance, to retire herself at her will out of this realm, the said queen of Scots she will give sufficient hostage for such time as will be advised.

17. If she abide in this realm, she will promise not to depart out of it without your licence, so as it be promised unto her that her state, in such liberty as shall be accorded unto her, shall not be in any sort altered, untill

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after tryall to have attempted againſt your life, or other trouble of your eſtate.

18. If ſhe go into Scotland, ſhe will promiſe to alter nothing there in the religion which is now uſed there, ſhe being ſuffered to have free exerciſe of hers, for her and her houſhold, as it was at her return out of France; and further, to pull out every root of new diviſion between the ſubjects, that none of the ſubjects of Scotland ſhall be ſifted for his conſcience, nor conſtrained to go to the ſervice of the contrary religion.

19. She will grant a general abolition of all offences done againſt her in Scotland, and things ſhall remain there as they are at this preſent, for that reſpect, ſaving that which hath been done againſt her honour, which ſhe meaneth to have revoked and annulled.

20. She will travel to ſettle a ſure and general reconciliation between the nobility of the country, and to cauſe to be appointed about the king her ſon, and in his council, ſuch as ſhall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her beſt to content your majeſty, in favour of the Scots lords baniſhed and refuged hither, upon their due ſubmiſſion to their princes, and your majeſty's promiſe to aſſiſt the ſaid queen and king of Scotland againſt them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her ſon, with the advice and good council of your majeſty.

23. As ſhe will paſs nothing without the king her ſon, ſo doth ſhe deſire that he intervene conjointly with her in this treaty, for the greater and perfecter aſſurance thereof; for otherwiſe any thing can hardly be eſtabliſhed to be ſound and continue.

24. The ſaid Scotch queen truſteth, that the French king, her good brother, according to the good affection which he hath always ſhewed her, and hath been afreſh teſtified unto me by Monſr. de Manniſſiere for this ſaid treaty, will very willingly intervene, and will aſſiſt her for the ſurety of her promiſes.

25. And ſo will the princes of the houſe of Lorrain, following the will of the ſaid king, will bind themſelves thereunto.

26. For other kings and princes of Chriſtendom, ſhe will aſſay to obtain the like of them, if for greater ſolemnity

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lemnity and approbation of the treaty it be found to be neceſſary..

27. She doth deſire a ſpeedy anſwer, and final concluſion of the premiſes, to the end to meet in time with all inconveniencies.

28. And in the mean time, the more to ſtrengthen the ſaid treaty, as made by her of a pure and frank will, ſhe deſireth that demonſtration be made of ſome releaſement of her captivity.

Objections againſt the Scottiſh Queen, under ſecretary Walſinghame's hand, November 1584.

THE queen of Scots is ambitious, and ſtandeth ill affected to her majeſty, and therefore it cannot be but that her liberty ſhould bring peril unto her majeſty.

That her enlargement will give comfort to papiſts, and other ill-affected ſubjects, and greatly advance the opinion had of her title as ſucceſſor.

That as long as ſhe ſhall be continued in her majeſty's poſſeſſion, ſhe may ſerve as it were a gage of her majeſty's ſurety, for that her friends, for fear of the danger ſhe may be thrown into, in caſe any thing ſhould be done in her favour, dare not attempt any thing in offence of her majeſty.

November 1584. What courſe were fit to be taken with the Queen of Scots, either to be enlarged or not.

THE courſe to be taken with the ſaid queen may be conſidered of in three degrees; either, Cott. Lib. Cal. B.

1. To continue her under cuſtody in that ſtate ſhe now is.

2. To reſtrain her of the preſent liberty ſhe now hath.

3. Or to ſet her at liberty upon caution.

1. Touching the firſt, to continue her under cuſtody in that ſtate ſhe now is; it is to be conſidered, that the princes that favour that queen, upon the complaint ſhe maketh of hard uſage, are greatly moved with commiſeration towards her, and promiſe to do their endeavour for her liberty, for which purpoſe her miniſters ſolicit them daily.

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And to move them the more to pity her caſe, ſhe acquainted them with her offers made to her majeſty, which appeared to be no leſs profitable than reaſonable for her majeſty, ſo as the refuſal and rejecting giveth her friends and favourers cauſe to think her hardly dealt withal, and therefore may, with the better ground and reaſon, attempt ſomewhat for the ſetting of her at liberty.

It is alſo likely that the ſaid queen, upon this refuſal, finding her caſe deſperate, will continue her practice under hand, both at home and abroad, not only for her delivery, but to attain to the preſent poſſeſſion of this crown upon her pretended title, as ſhe hath hitherto done, as appeareth, and is moſt manifeſt by letters and plots intercepted, and chiefly by that late alteration of Scotland, which hath proceeded altogether by her direction, whereby a gap is laid open for the malice of all her majeſty's enemies, ſo as it appeareth that this manner of keeping her, with ſuch number of perſons as ſhe now hath, and with liberty to write and receive letters (being duly conſidered), is offenſive to the princes, the ſaid queen's friends; rather chargeable, than profitable to her majeſty; and ſubject to all ſuch practices as may peril her majeſty's perſon or ſtate, without any proviſion for her majeſty's ſafety, and therefore no way to be liked of.

2. Touching the ſecond, to reſtrain her in a more ſtraighter degree of the liberty ſhe hath hitherto enjoyed.

It may at firſt ſight be thought a remedy very apt to ſtop the courſe of the dangerous practices foſtered heretofore by her: For, true it is, that this remedy might prove very profitable, if the realm of Scotland ſtood in that ſort devoted to her majeſty, as few years paſt it did; and if the king of that realm were not likely, as well as for the releaſe of his mother, as for the advancement of both their pretended titles, to attempt ſomewhat againſt this realm and her majeſty, wherein he ſhould neither lack foreign aſſiſtance, nor a party here within this realm: But the king and that realm ſtanding affected as they do, this reſtraint, inſtead of remedying, is likely to breed theſe inconveniencies following:

First, It will increaſe the offence both in him, and in the reſt of the princes her friends, that miſliked of her reſtraint.

Secondly,

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SECONDLY, It will give them juſt cauſe to take ſome way of redreſs.

LASTLY, It is to be doubted, that it may provoke ſome deſperate ill-diſpoſed perſon, all hope of her liberty removed, to attempt ſomewhat againſt her majeſty's own perſon (a matter above all others to be weighed), which inconveniency being duly conſidered, it will appear manifeſtly, that the reſtraint, in a ſtraighter degree, is likely to prove a remedy ſubject to very hard events.

THE latter degree, whether it were fit to ſet the ſaid queen at liberty, miniſtreth ſome cauſe of doubt, touching the manner of the liberty, in what ſort the ſame is to be performed, whether to be continued here within the realm, or to be reſtored into her own country.

BUT firſt, this propoſition, before the particularities be weighed, is to be conſidered in generality.

FOR it is very hard for a well-affected ſubject, that tendereth her majeſty's ſurety, and weigheth either the nature of the Scottiſh queen, being inclined to ambition and revenge, or her former actions, what practices ſhe hath ſet on foot moſt dangerous for her majeſty and this realm, to allow of her liberty, being not made acquainted with ſuch cauſes, as time hath wrought, to make it leſs perilous than it hath been, nor with ſuch cautions as may, in ſome ſort, be deviſed to prevent both her ambition and malice; and therefore, to make this apparent,

IT is to be conſidered, that the danger that was in the mother, is now grown to be in the ſon. He pretendeth the ſame title ſhe doth: Such as do affect her, both at home and abroad, do affect him (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own perſon); where ſhe is reſtrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abaſed; ſo as the matter duly conſidered, neither her liberty nor reſtraint doth greatly alter the caſe for perils towards her majeſty, unleſs by ſuch promiſes as may be made by way of treaty with her, the danger likely to grow from the king her ſon to be provided for.

BUT in this behalf it may be objected, that ſo long as the mother remains in her majeſty's hands, the king will attempt nothing for fear of his mother's peril.

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To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless he shall be found, by good proof, culpable. Secondarily, That men will not be over hasty, considering in what predicament the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, the taking away of his mother, he being strong in the field through both foreign assistance, and a party here within the realm, will appear so weak a remedy (which may rather exasperate both him and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her), as they will suppose, for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the perils that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers, that her liberty may minister just cause to doubt of; there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption, and falling away in that behalf. Besides, she should have commodity, with much more ease and speed, to entertain practices within this realm, than by being in her own country.

If abroad freely without limitation either in Scotland or France, then shall her majesty lose the gages of her safety, then shall she be at hand to give advice in furtherance

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ance of such practices, as have been laid for to stir trouble in this realm, wherein she hath been a principal party.

For the first, it is answered before, that the respect of any perils that may befal unto her, will in no sort restrain her son. For the other, if it be considered what harm her advice will work unto herself, in respect of the violation of the treaty, and the provision that may be made in parliament here, it is to be thought, that she will then be well advised, before she attempt any such matter, which now she may do without perill. Besides such princes, as have interposed their faith and promise for her, cannot with honour assist her, wherein the French king will not be found very forward, who, in most friendly sort, hath lately rejected all such requests, propounded either by her, or her son's ministers, that might any way offend her majesty. And so to conclude, seeing the cause of her grief shall be taken away; the French king gratified, who is a mediator for her, and will mislike, that, by any Spanish practice, she should be drawn to violate her faith, that the rest of the princes shall have no just cause of offence, but rather to think honourably of her majesty considering the Scottish queen's carriage towards her, which hath deserved no way any such favour; the noblemen of Scotland shall be restored, who will be a good stay of such cōunsells as may tend to the troubling of this realm, especially having so good a ground of warrant as the parliament to stand unto; the charges and perills which her practices might have bred to this realm shall be avoided; and lastly, the hope of the papists shall be taken away, by such good provisions, as in both the realms may be made, whereby the perills that might fall into her majesty's own person, (a matter of all others to be weighed) shall be avoided, when by the change that may grow by any such wicked and ungodly practice, they shall see their case no way relieved in point of religion.

Reasons to induce her Majesty to proceed in the treaty under Secretary Walsingham's hand.

THAT such plots as have of late years been devised (tending to the raising of trouble within this realm) have grown from the Scots queen's ministers, and favourers, not without her allowance and seeking: Or, Cot. Lib. Cal. C. 8.

THAT

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THAT the means uſed by the ſaid miniſters, to induce princes to give ear to the ſaid plots, is principally grounded upon ſome commiſeration had of their reſtraint.

THAT the ſtay, why the ſaid plots have not been put in execution, hath proceeded, for that the ſaid princes have, for the moſt part, been entertained with home and domeſtick troubles.

THAT it is greatly to be doubted, that now their realms begin to be quiet, that ſomewhat will be attempted in her favours by the ſaid princes.

THAT it is alſo to be doubted, that ſomewhat may be attempted by ſome of her fautors in an extraordinary ſort, to the perill of her majeſty.

THAT for the preſervation thereof, it ſhall be convenient for her majeſty to proceed to the finiſhing of the treaty, not long ſithence begun between her and the ſaid queen.

No. XLV. (Vol. III. p. 20.)

Letter of Q. Mary to Q. Elizabeth.

Madame ma bonne Seur,

Cott. Lib. Col. B. VIII. Fol. 147. An original.

M'Aſſeurant que vous avez eu communication d'une lettre de Gray que voſtre homme Semer me livra hier ſoubz le nom de mon filz y recongnoiſſant quaſi de mot a la mot meſmes raiſons que le dit Gray m'eſcrivit en chifre eſtant dernierement pres de vous deſmontrant la ſuffiſance & bonne intention du perſonage je vous prieray ſeulement ſuivant ce que ſi devant je vous ay tant inſtantement importuné que vous me permettiez deſclaircir librement & ouvertement ce point de l'aſſociation d'entre moy & mon filz & me deſſier les mains pour proceder avec lui comme je jugeray eſtre requis pour ſon bien & le mien. Et j'entreprendz quoy que l'on vous die & puiſſe en rapporter de faire mentir ce petit brouillon qui perſuadé par aucuns de vos miniſtres a entrepris cette ſeparation entre moy & mon enfant, & pour y commencer je vous ſupplie m'octroyer qui je puiſſe parler a ce juſtice clerk qui vous a eſte nouvellement envoyé pour mander par luy a mon filz mon intention ſur cela, ce qui je me promis que ne ma refuſerez, quant ce ne ſeroit que pour demontrer en effect la bonne intention que vous m'avez aſſeurée avoir

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avoir a l'accord & entretien de naturel devoir entre la mere & l'enfant qui dit en bonnes termes eſtre empeſche pour vous me tenant captive en un deſert ce que vous ne pourrez mieux deſmentir & faire paroitre voſtre bon deſir a notre union que me donnant les moyens d'y proceder, & non m'en retenir & empeſcher comme aucune de vos miniſtres pretendent a fin de laiſſer toujours lieu a leur mauvais & ſiniſtres practiques entre nous. La lettre porte que l'aſſociation n'eſt pas paſſée, auſſi ne luy ai je jamais dit, bienque mon filz avoit accepté; & que nous en avions convenu enſemble, comme l'acte ſigné de ſa main, & ces lettres tant a moy, que en France en font foy, ayant donné ce meme temoignage de ſa bouche propre a pluſieurs ambaſſadeurs & perſonnes de credit, s'excuſant de ne l'oſer faire publier par craint de vous ſeulement, demandant forces pour vous reſiſter d'avant de ce declarer ſi ouvertement eſtant journellement perſuade au contraire par vos miniſtres qui luy prometoyent avecque une entreire a Yorck le faire declarer votre heretier. Au ſurplus Madame quand mon enfant ſeroit ſi malheureux que de s'opiniaſtrer en cette extreme impieté & ingratitude vers moy, je ne puis penſer que vous non plus qu'aucun aultre prince de la Chretienté le vouliſſiez eu cela applaudir ou meintenir pour luy fayre acquerir ma malediction ains que plutos *introviendrez* pour luy faire recongnoitre la raiſon trop juſte & evidant devant Dieu & les hommes. Helas & encores ne luy vouloir j'en ofter, mays donner avec droit ce qu'il tient par uſurpation. Je me ſuis du tout commiſe a vous, & fidelement faites ſi il vous pleſt que je ne en ſoye pis qu'aupravant, & que le faulſete des uns ne prevale deſvant la verite vers vous, pour bien recevant mal, & la plus grande affliction que me ſcaurroit arriver a ſcavoir la perte de mon fils. Je vous ſupplie de me mander en cas qu'il perſiſte en cette m'eſconnoiſſance de ſon devoir, que de luy ou de moy il vous plaiſt advouer pour legittime roy ou royne d'Ecoſſe, & ſi vous aves agreable de pourſuivre avec moy a part la traité commencé entre nous de quoy je vous requiers ſans plus, attendre de reſponſe de ce mal gouverné enfant vous en requerrant avec autant d'affection que je ſens mon cœur oppreſſé d'ennuy. Pour Dieu ſouvenez vous de la promeſſe que m'avez faites de me prendre en votre protection me raportant de tout a vous, & ſur ce prian. Dieu qu'il vous vueille preſerver de touts vos ennemys & diſſimulez amys, comme je le deſire de me

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conſoler & de me venger de ceulz qui pourchaſſent un tel malheur entre la mere & l'enfant. Je ceſſeray de vous troubler, mais non a m'ennuier que je ne recoive quelque conſolation de vous & de Dieu encore un coup je le ſupplie de vous garder de tout peril. Futhbery XII Mars.

Votre fidelement vouée ſœur
& obeiſſant couſine,
MARIE R.

A la reyne d'Angletterre
madame ma bonne ſœur &
couſine.

No. XLVI. (Vol. III. p. 20.)

A Teſtament by Q. Mary.

Cott. Lib. Veſpaſ. L. 16. p. 415.

N. B. The following paper was tranſcribed by the rev^d. Mr. Crawford late regius profeſſor of church hiſtory in the univerſity of Edinburgh. Part of this paper, according to him, is written by Naué, Mary's ſecretary, the reſt with the queen's own hand. What is marked " is in the queen's hand.

CONſiderant par ma condition preſente l'eſtat de vie humaine, ſi incertain, que perſonne ne s'en peuſt, ou doibt aſſeurer, ſinnon foubs la grande et infinie miſericorde de Dieu. Et me voulant prevaloir d'icelle contre tous les dangers et accidens, qui me pourroient inopinement ſurvenir en cette captivité, meſmes a cauſe des grandes et longues maladies, ou j'ay eté detenué juſques a preſent; j'ay adviſé tandis que j'ay la commodité, ou raiſon en jugement, de pourvoir apres ma mort la ſalut de mon ame, enterrement de mon corps et diſpoſition de mon bien, eſtat, & affaires, par ce preſent mon teſtament et ordonnance de mon dernier volonté, qui s'enſuyt.

Au nom du Pere, du Filz, et du benoite S^t Eſprit. Premierement, me recongnoiſſant indigne pechereſſe avec plus d'offences envers mon Dieu, que de ſatisfaction par toutes les adverſites que j'ay ſouffert; dont je la lou ſa bonté. Et m'appuyant ſur la croix de mon Sauveur et Redempteur Jeſus Chriſt. Je recommende mon ame a la benoiſte

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noiſte et individue Trinité, et aux prieres de la glorieuſe Vierge Marie, et de tous les anges ſaincts & ſainctes de paradis, eſperant par leur meriteset intercceſſion, eſtre aydée a obtenir de eſtre faicte participante avec eulx de felicité eternelle. Et pour m'y acheminer de cueur plus net et entier deſpoillant des a preſent tout reſſentiment des injures, calomnies, rebellions, et aultres offenſes, qui me pourroient avoir eſté factes durant ma vie, par mes ſubjets rebelles et aultres ennemis; J'en retriet la vengeance a Dieu, & le ſupplie leur pardonner, de meſme affection, que je luy requiers pardons a mes faultes, et a tous ceuls et celles que je puis avoir offenſé de faicts ou de parolles. Je veulx et ordonne, &c. [*The two following paragraphs contain directions concerning the place and circumſtance of her burial.*]

Pour ne contrevenir a la gloire, honneur, et conſervation de l'Egliſe catholique, apoſtolique et Romaine, en la quelle je veulx vivre et mourir, ſi le prince d'Eſcoſſe mon filz y pueſt etre reduiet contre la mauvaiſe nourriture, qu'il a priſe a mon tres grand regret en l'hereſie de Calvin entre mes rebelles, je le laiſſe ſeul et unique heritier de mon royaume d'Eſcoſſe, de droict que je pretende juſtement en a la couronne d'Angleterre et pays qui en dépendent, et generallement de tous et chacun mes meubles et immeubles qui reſteront apres ma mort, et execution de ce preſent teſtament.

Si non, et que mon dit filz continue a vivre en la dite hereſie, Je cede, tranſporte, et faicte don " de touts et " chacuns mes droicts, que je pretende & puis pretendre " a la couronne d'Angleterre, et aultres droicts, ſeig- " neuries, ou royaulmes en dependantz, au roy catholique, " ou aultre de ſiens qu'il luy plaira, aveſques advis, con- " ſentement de ſa ſainteté; tant pour le voyr aujourdhuy " le ſeul ſeurs appui de la religion catholique, que pour " reconnoiſſance de gratuites faveurs que moy, et les miens " recommandez par moy, ont avons receu de luy en ma " plus grande neceſſité; et reſguard auſſi au droict que " luy meſme peut pretendre a ces ditz royaulmes et pays, " je le ſupplie qu'en recompence il preign alliance, de la " maiſon de Lorraine, et ſi il ce pleut de celle de Guiſe, " pour memoire de la race de laquelle je ſuis ſortie au " coſte de Mere, n'a ayant de celuy de mon pere, que " mon ſeul enfant, lequel eſtant Catholique j'ay tousjours

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" voue pour une de ſes filles, ſi il luy plaiſoit d'accep-
" ter, ou faillant une de ſes niepces mariée comme ſa fille.
" Je layſſe mon filz a la protection du roy, de prince,
" et ducs de Lorrayne et de Guiſne, et du Mayne, aux
" quelz je recommende et ſon eſtat en Eſcoſſe, et mon
" droict en Angletterre, ſi il eſt catholique, et quelle ſe
" parlie de ceſte royne."

Je faitz don ad " compté de Lenox" de compte de Lenox tenu par feu ſon pere, et commande mon filtz, comme mon heretier et ſucceſſeur, d'obeyr en ceſt en droit a mon volonté.

Je veulx et ordonne toutes les ſommes et deniers, qui ſe troveront par moys deues, tien mis cauſe de droict eſtre faits " a Lohliven" etre promptement payée et acquittés, et tout tort et griefs reparés par leſdits executeurs deſquelz J'en charge la conſcience. Oultre, &c. [*Follow two or three paragraphs concerning particular legacies, and then is added*] Faict au manior de Sheffeld en Angleterre le jour de —— Mil cinq cens ſoix ant & dix ſept.

After a large blank page follows in the queen's hand.

" Si mon filz meurt, au comte de Lenox, au Claude
" Hamilton lequel ſe montrera le plus fidelle vers moy, et
" plus conſtant en religion, au jugement de —— Ducs de
" Lorraine et de Guyſe, ou je le rapport ſua ce de ceulx
" a que j'auray donnay le charge de trayter avesque eux de
" par moy et ceulx, a condition de ce marrier ou allier en
" la dite mayſon ou par leur advis."

Follow near two pages of particular legacies.

" Et le remets ma tante de Lenox au droict quelle peut
" pretendre a la conté d'Angous avant l'acort fait par mon
" commandement entre ma dite tante de Lenox et le
" comte de Morton, veu quil a eſté fait & par le feu roy
" mon Mary et moy, uſur la promeſſe de ſa fidelle aſſiſtance,
" ſi luy et moy encourions dangier et beſoing d'ayde,
" ce qu'il rompit, s'entendant ſecretement au les nos en-
" nemis rebelles, qu'attemptprient contre ſa vie, et pour
" ceſt effect pris les armes, et ont porté les bannieres deſ-
" ployeés, contre nous, je revoque auſſi tonte autre don
" que je luy ay fait de conté de Morton ſur promeſſes
" de ſes bons ſervices a advenir, et entends que la dite
" Conté

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" Conté ſoit reunie a la couronne, ſi ell ſe trouve y par-
" tenir, comme ſes trahiſons tant en la mort de mon feu
" Mary, que en mon baniſſement, et pourſuit de la mien
" ne l'ont meritè. Et defends a mon filz de ce jamays ſer-
" vire de luy pour de luy pour la hayne qu'il aye a ſes pa-
" rents, la quelle je crains ne s'eſtende juſques a luy, le
" connoiſſant du tout affectionné aux ennemis de mon
" droite en ce royaume, du quel il eſt penconnaire.

" Je recommende mon nepveu Francois Stuart a mon
" filz, et luy commande detenir pres de luy et s'enſervit,
" et je luy laiſſe le bien du conte de Boduel ſon oncle,
" en reſpect qu'il eſt de mon ſang, mon filleul, et ma eſtè
" laiſſe en lutelle par ſon pere.

" Je declare que mon frere baſtard Robert Abbé de St.
" Croix n'a en que par circonvention Orkenay, et que le
" ne fut jamays mon intention, comme il apret par la re-
" vocation que j'ay fayte depuys, et eté auſſi faite d'avant
" la aſge de xxv ans, ce que j'aimois deliberer ſi il ne
" m'euſſent prenner par priſon de ſe de defayre aulx eſtats
" je veulx donc que Orkenay ſoit reune a la coronne
" comme une de plus neceſſaires pour mon filz, & ſans
" mayſon ne pourra etre bien tenue.

" Le filles de Morra ne parvient acceſſi heriter, ains
" revient la contè a la Couronne, ſi il luy pleſt luy don-
" ner ſa ou fille en marriaſge, et il nome l'en ſienne
" ligne."

No. XLVII. (Vol. III. p. 32.)

A Letter from Mr. Archibald Douglas to the Queen of Scots.

PLEASE your majeſty, I received your letter of the date of the 12th of Nov. and in like manner has ſeen ſome part of the contents of one other of the ſame date, directed to Monſ. de Moviſir, ambaſſador for his majeſty the moſt Chriſtian king, both which are agreeable to your princely dignity, as by the one your highneſs deſires to know the true cauſe of my baniſhment, and offers unto me all favour if I ſhall be innocent of the heinous acts committed in the perſon of your huſband of good memory, ſo by the other the ſaid ambaſſador is willed to declare unto me, if your huſband's murder could be laid juſtly againſt me,

April — Harl. Lib. 37. B. 9. fo. 126.

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me, that you could not solicit in my cause, neither yet for any person that was participant of that execrable fact, but would seek the revenge thereof, when you should have any means to do it; your majesty's offer, if I be innocent of that crime, is most favourable, and your desire to know the truth of the same is most equitable; and therefore that I should with all my simplicity, sincerity and truth answer thereunto is most reasonable, to the end that your princely dignity may be my help, if my innocence shall sufficiently appear, and procure my condemnation if I be culpable in any matter, except in the knowledge of the evil disposed minds of the most part of your nobility against your said husband, and not revealing of it; which I am assured was sufficiently known to himself, and to all that had judgment never so little in that realm; which also I was constrained to understand, as he, that was specially employed betwixt the earl Morton, and a good number of your nobility, that they might with all humility intercede at your majesty's hand for his relief, in such matters as are more specially contained in the declaration following, which I am constrained for my own justification, by this letter to call to your majesty's remembrance. Notwithstanding that I am assured, to my grief, the reading thereof will not smally offend your princely mind. It may please your majesty to remember, that in the year of God 1566, the said earl of Morton, with divers other nobility and gent. were declared rebels to your majesty, and banished your realm for insolent murder committed in your majesty's own chamber, which they alledged was done by command of your husband, who notwithstanding affirmed that he was compelled by them to subscribe the warrant given for that effect, howsoever the truth of that matter remains amongst them, it appertains not to me at this time to be curious; true it is that I was one of that number, that heavily offended against your majesty, and passed into France the time of our banishment, at the desire of the rest, to humbly pray your brother the most Christian king to intercede that our offences might be pardoned, and your majesty's clemency extended towards us, albeit divers of no small reputation, in that realm, was of the opinion, that the said fact merited neither to be requisite for, not yet pardoned. Always such was the careful mind of his majesty towards the quietness of that realm, that the dealing in that cause was committed to Mons. de

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de Moviſir, who was directed at that time to go into Scotland, to congratulate the happy birth of your ſon, whom Almighty God of his goodneſs may long preſerve in happy eſtate and perpetual felicity; the careful travail of the ſaid de Moviſir was ſo effectual, and your majeſty's mind ſo inclined to mercy, that within ſhort ſpace thereafter, I was permitted to repair in Scotland, to deal with earls Murray, Athol, Bodwel, Arguile, and ſecretary Ledington, in the name and behalf of the ſaid earl Morton, lords Reven, Lindſay, and remanent compleſis, that they might make offer in the names of the ſaid earl of any matter that might ſatisfy your majeſty's wrath, and procure your clemency to be extended in their favours; at my coming to them, after I had opened the effect of my meſſage, they declared that the marriage betwixt you and your huſband had been the occaſion already of great evil in that realm, and if your huſband ſhould be ſuffered to follow the appetite and mind of ſuch as was about him, that kind of dealing might produce with time worſe effects; for helping of ſuch inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themſelves in league and band with ſome other noblemen, reſolved to obey your majeſty as their natural ſovereign, and have nothing to do with your huſband's command whatſoever, if the ſaid earl would for himſelf enter into that band and confederacy with them, they could be content to humbly requeſt and travel by all means with your majeſty for his pardon, but before they could any farther proceed, they deſired to know the ſaid earl's mind herein; when I had anſwered, that he nor his friends, at my departure, could not know that any ſuch like matter would be proponit, and therefore was not inſtructed what to anſwer therein, they deſired that I ſhould return ſufficiently inſtructed in this matter to Sterling, before the baptiſm of your ſon, whom God might preſerve; this meſſage was faithfully delivered to me at Newcaſtle in England, where the ſaid earl then remained, in preſence of his friends and company, where they all condeſcended to have no farther dealing with your huſband, and to enter into the ſaid band. With this deliberation I returned to Sterling, where at the requeſt of the moſt Chriſtian king and the queen's majeſty of England by their ambaſſadors preſent, your majeſty's gracious pardon was granted unto them all, under condition always that they ſhould remain baniſhed

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forth of the realm, the ſpace of two years, and farther during your majeſty's pleaſure, which limitation was after mitigated at the humble requeſt of your own nobility, ſo that immediately after the ſaid earl of Morton repaired into Scotland to Quhittingaime, where the earl of Bodvell and ſecretary Ledington come to him; what ſpeech paſſed there amongſt them, as God ſhall be my judge, I knew nothing at that time, but at their departure I was requeſted by the ſaid earl Morton to accompany the earl Bodvell and ſecretary to Edinburgh, and to return with ſuch anſwer as they ſhould obtain of your majeſty, which being given to me by the ſaid perſons, as God ſhall be my judge, was no other than theſe words, "Schaw to the "earl Morton that the queen will hear no ſpeech of that "matter appointed unto him:" when I craſit that the anſwer might be made more ſenſible, ſecretary Ledington ſaid, that the earl would ſufficiently underſtand it, albeit few or none at that time underſtand what paſſed amongſt them. It is known to all men, als veill be railling letters paſſed betwixt the ſaid earl and Ledington when they become in divers factions, as alſo ane buck ſet furth by the miniſters wherein they affirm that the earl of Morton has confeſſed to them, before his death, that the earl Bodvell came to Quhittingaime to prepon the calling away off the king your huſband, to the which propoſition the ſaid earl of Morton affirms that he could give no anſwer unto ſuch time he might know your majeſty's mind therein, which he never received. As to the abominable murder, it is known too by the depoſitions of many perſons that were executed to the death for the committing thereof, that the ſame was executed by them, and at the command of ſuch of the nobility, as had ſubſcrivit band for that effect; by this unpleaſant declaration, the moſt part thereof known to yourſelf, and the remainder may be underſtood by the aforeſaid witneſſes that was examined in torture, and that are extant in the cuſtody of the ordinary judges in Scotland, my innocency, ſo far as may concern any fact, does appear ſufficiently to your majeſty. And as for my dealing aforeſaid, I can be no otherwiſe charged therein, but as what would accuſe the veſſel that preſerves the wine from harm, for the intemperancy of ſuch as immoderately uſe the ſame. As for the ſpecial cauſe of my baniſhment, I think the ſame as proceeded upon ane opinion conceived, that I was able to accuſe

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cuſe the earl of Morton of ſo much matter as they alledge himſelf to have confeſſed before he died, and would not be induced, for loſs of reputation, to perform any part thereof. If this be the occaſion of my trouble, as I ſuppoſe it is, what puniſhment I ſhould deſerve, I remit me to your majeſty's better judgment, who well knows how careful ever ilk gentleman ſhould be of his fame, reputation and honour, and how far ever ilk man ſhould abhor the name of a pultroun, and how indecent it would have been to me to accuſe the earl of Morton, being ſo near of his kin, notwithſtanding all the injuries I was conſtrained to receive at his hand all the time of his government, and for no other cauſe, but for ſhewing of particular friendſhip to particular friends in the time of the laſt cruel troubles in Scotland. Sorry I be now to accuſe him in any matter being dead, and more ſorry that being on lyff, be ſuch kind of dealing obtained that name of Ingrate. Always for my own part I have been baniſhed my native country thoſe three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not ſmall, intermittit and diſponit upon, and has continually ſince the time I was relieved out of my laſt troubles at the deſire of monsr de Moviſir, attended to know your majeſty's pleaſure, and to wait upon what ſervice it ſhould pleaſe your majeſty for to command. Upon the 8th of April inſt. your good friend ſecretary Walſinghame has declared unto me, that her highneſs tho't it expedient that I ſhould retire myſelf where I pleaſed, I declared unto him I had no means whereby I might perform that deſire, till ſuch time as I ſhould receive it from your majeſty. Neither knew I where it would pleaſe your highneſs to direct me, until ſuch time as I ſhould have received further information from you. Upon this occaſion and partly by permiſſion, I have taken the hardreſs to write this preſent letter, whereby your majeſty may underſtand any part of my troubles paſt, and ſtrait preſent. As to my intention future, I will never deny that I am fully reſolved to ſpend the reſt of my days in your majeſty's ſervice, and the king your ſon's, whereſoever I ſhall be directed by your majeſty, and for the better performing thereof, if ſo ſhall be her majeſty's pleaſure, to recommend the tryal of my innocency, and examination of the verity of the preceding narration, to the king your ſon, with requeſt that I may be pardoned for ſuch offences as

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concerned your majeſty's ſervice, and var common to all men the time of his les aige and perdonit to all, except to me, I ſhould be the bearer thereof myſelf, and be directed in whatſoever ſervice it ſhould pleaſe your majeſty for to command. Moſt humble I beſeech your majeſty to conſider hereof, and to be ſo gracious as to give order, that I may have means to ſerve your majeſty according to the ſincerity of my meaning, and ſo expecting your majeſty's anſwer, after the kiſſing your hand with all humility, I take leave from London.

No. XLVIII. (Vol. III. p. 40.)

A Letter from ſir Amias Paulet.

SIR,

Origin. Cal. C. 9.

I Did forbear according to your direction ſignified in your letters of the fourth of this preſent, to proceed to the execution of the contents of Mr. Waade's letters unto you, for the diſperſing of this lady's unneceſſary ſervants, and for the ceaſing of her money, wherein I was bold to write unto you my ſimple opinion (although in vain as it now falleth out), by my letters of the 7th of this inſtant, which I doubt not are with you before this time; but upon the receipt of your letters of the 5th, which came not unto my hands until the 8th in the evening, by reaſon, as did appear by indorſement, that they had been miſtaken, and were ſent back to Windſor, after they were entered into the way towards me, I conſidered, that being accompanied only by my own ſervants, it might be thought that they would be intreated to ſay as I would command them, and therefore I thought good, for my better diſcharge in theſe money matters, to crave the aſſiſtance of Mr. Richard Baggot, who repairing unto me the next morning, we had acceſs to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the ſide of her neck, and had bereft her of the uſe of one of her hands, unto whom I declared, that upon occaſion of her former practiſes, doubting leſt ſhe would perſiſt therein by corrupting underhand ſome bad members of this ſtate, I was expreſly commanded to take her money into my hands, and to reſt anſwerable for it, when it ſhall be required;

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quired; adviſing her to deliver the ſaid money unto me with quietneſs. After many denials, many exclamations, and many bitter words againſt you (I ſay nothing of her railing againſt myſelf), with flat affirmation that her majeſty might have her body, but her heart ſhe ſhould never have, refuſing to deliver the key of the cabinet, I called my ſervants, and ſent for barrs to break open the door, whereupon ſhe yielded, and cauſing the door to be opened, I found there in the coffers, mentioned in Mr. Waade's remembrance, five rolls of canvaſs, containing five thouſand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two ſhillings, and the other had three pounds in ſilver, which bag of ſilver was left with her, affirming that ſhe had no more money in this houſe, and that ſhe was indebted to her ſervants for their wages. Mr. Waade's note maketh mention of 3 rolls left in Curle's chamber, wherein, no doubt, he was miſreckoned, which is evident as well by the teſtimonies and oaths of diverſe perſons, as alſo by probable conjectures; ſo as in truth we found only two rolls, every of which containeth one thouſand crowns, which was this queen's guifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by eſtimation one hundred pounds, and in money, in one bag nine hundred pounds, in a ſecond bag two hundred fourſcore and ſix pounds eighteen ſhillings. All the foreſaid parcels of money are beſtowed in bags, and ſealed by Mr. Richard Bagot, ſaving five hundred pounds of Naw's money, which I reſerve in my hands, for the uſe of this houſhold, and may be repaid at London, where her majeſty ſhall appoint, out of the money received lately by one of my ſervants, out of the exchequer. I feared leſt the people might have diſperſed this money in all this time, or have hidden the ſame in ſome ſecret corners; for doubt whereof I had cauſed all this queen's family, from the higheſt to the loweſt, to be guarded in the ſeveral places where I found them, ſo as yff I had not found the money with quietneſs, I had been forced to have ſearched firſt all their lodgings, and then their own perſons. I thank God with all my heart, as for a ſingular bleſſing, that that falleth out ſo well, fearing leſt a contrary ſucceſs might have moved ſome hard conceits in her majeſty.

Curle can tell you the truth of this matter.

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TOUCHING the diſperſing of this queen's ſervants, I truſt I have done ſo much, as may ſuffice to ſatisfy her majeſty for the time, wherein I could not take any abſolute courſe, until I heard again from you, partly becauſe her majeſty, by Mr. Waade's letter, doth refer to your conſideration to return ſuch as ſhall be diſcharged to their ſeveral dwellings and countries, wherein, as it ſeemeth, you have forgotten to deliver your opinion; partly, for that as yet, I have received no anſwer from you, of your reſolution, upon the view of the Scottiſh family ſent unto you, what perſons you will appoint to be diſmiſt; only this I have done, I have beſtowed all ſuch as are mentioned in this bill incloſed in three or four ſeveral rooms as the ſame may ſuffice to contain them, and that their meat and drink ſhall be brought unto them by my ſervants. It may pleaſe you, to advertiſe me by your next letters, in what ſort, and for what courſe, I ſhall make their paſſports, as alſo, if they ſhall ſay that they are unpaid of their wages, what I ſhall do therein. Yt is ſaid that they have been accuſtomed to be paid of their wages at Chriſtmas, for the whole year. Her majeſty's charge will be ſomewhat diminiſhed by the departure of this people, and my charge by this occaſion will be the more eaſy. But the perſons, all ſave Baſtian, are ſuch ſilly and ſimple ſouls, as there was no great cauſe to fear their practices, and upon this ground, I was of opinion, in my former letters, that all this diſmiſſed train ſhould have followed their miſtreſs until the next remove, and there to have been diſcharged upon the ſudden, for doubt that the ſaid remove might be delayed, yf ſhe did fear, or expect any hard meaſure.

This lady hath good ſtore of money at preſent in the French ambaſſador's hands.

OTHERS ſhall excuſe their fooliſh pity as they may; but for my part, I renounce my part of the joys of heaven, yf in any thing that I have ſaid, written, or done, I have had any other reſpect than the furtherance of her majeſty's ſervice; and ſo I ſhall moſt earneſtly pray you to affirm for me, as likewiſe for the not ſeaſing of the money by Mr. Manners, the other commiſſioners, and myſelf. I truſt Mr. Waade hath anſwered, in all humble duties, for the whole company, that no one of us did ſo much as think that our commiſſion reaching only to the papers, we might be bold to touch the money, ſo as there was no ſpeech of that all to my knowledge, and as you know I was no commiſſioner in this ſearch, but had my hands full at

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at Tyxall, diſcreet ſervants are not haſtily to deal in great matters, without warrant, and eſpecially where the cauſe is ſuch as the delay of it carried no danger.

YOUR advertiſement of that happy remove hath been greatly comfortable unto me. I will not ſay, in reſpect of myſelf, becauſe my private intereſt hath no meaſure of compariſon with her majeſty's ſafety, and with the quiet of this realm. God grant a happy and ſpeedy yſſue to theſe good and godly councels; and ſo I commit you to his merciful protection. From Chartley the 10th of September 1586.

No. XLIX. (Vol. III. p. 54.)

Letter from the king of Scots to Mr. Archibald Douglas his ambaſſador in England, October, 1586.

RESERVE up yourſelf na langer in the earneſt dealing for my mother, for ye have done it too long; and think not that any your travellis can do goode if hir life be taken, for then adieu with my dealing with theime that are the ſpecial inſtruments thairof; and theirfore, gif ye look for the contineuance of my favour towartis you, ſpair na pains nor plainnes in this cace, but redde my letter wrettin to Williame Keith, and conform yourſelf quhollie to the contentis thairof, and in this requeiſt let me reap the fruictis of your great credit there, ather now or never. Farewell. October 1586. Cot. Lib. Calig. C. 9. An original in the king's hand.

Letter to ſir William Keith, ambaſſador in England, probably from ſecretary Maitland. Nov. 27, 1586.

BY your letters ſent by this bearer (albeit concerning no pleaſant ſubject), his majeſty conceives well of your earneſtneſs and fidelity in your negotiations, as alſo of Mr. Archibald's activity and diligence, whom you ſo greatly praiſe and recommend, I wiſh the iſſue correſpond to his majeſty's opinion, your care and travell, and his great diligence as you write. His majeſty takes this rigorous proceeding againſt his mother deeply in A copy in the collect. of ſir A. Dick. Vol. A. fol. 219.

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heart, as a matter greatly concerning him both in honour and otherwiſe. His highneſſes actions and behaviour utter plainly not only how far nature prevails, but alſo how he apprehends of the ſequel of that proceſs, and of what moment he eſteems it. There is an ambaſſade ſhortly to be directed, wherein will be employed an earl and two counſellors, on whoſe anſwer will depend the continuance or diſſolution of the amity and good intelligence between the princes of this iſle. In the mean ſeaſon, if farther extremity be uſed, and his majeſty's ſuit and requeſt diſdained, his highneſs will think himſelf diſhonoured and contemned far beſides his expectation and deſerts. Ye may perceive his majeſty's diſpoſition by his letter to you, which you ſhall impart to Mr. Archibald, and both deal according thereto. I need not to recommend to your care, concerning your maſter's ſervice both in weill and in honour. As you and your colleague ſhall behave yourſelf in this behalf, ſo for my own part will I interpret your affection to your maſter. I am glad of that I hear of yourſelf, and I do fully credit that you write of Mr. Archibald, whoſe friends here make great account of his profeſſed devotion to the queen, beſides the duty he owes to the king's majeſty her ſon. Farther I am conſtrained to remit to next occaſion, having ſcarce time to ſcribble theſe few lines (which of themſelves may bear witneſs of my haſte.) Wiſhing you a proſperous iſſue of your negociation, I commit you, &c. Halyrudhouſe, Nov^r. 27th, 1586.

THE people, and all eſtates here are ſo far moved by the rigorous proceedings againſt the queen, that his majeſty, and all that have credit are importuned, and may not go abroad for exclamations againſt them, and imprecations againſt the queen of England.

No. L. (Vol. III. p. 57.)

To the King's majeſty, from Mr. Archibald Douglas.

16th Oct. 1586. From the original in the collect. of ſir A. Dick. Vol. B. fol. 324.

PLEASE your majeſty, I received your letter of the date the 28th of September, the 5th of October, which was the ſame day that I directed W^m. Murray towards your highneſs; by ſuch letters as he carried, and others of ſeveral dates, your majeſty may perceive that I had

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had omitted nothing ſo far as my travel might reach unto, anent the performing of the two chief points contained in the ſaid letter befor the receipt thereof, which by theſe preſents I muſt repeat for anſwering of the ſaidis. As to the firſt, ſo far as may concern the interceding for the queen your majeſty's mother her life, I have divers times, and in every audience, travelled with this queen in that matter, ſpecially to know what her full determination muſt be in that point, and could never bring her to any further anſwer, but that this proceeding againſt her by order of juſtice was no leſs againſt her mind, than againſt their will that loved her beſt: as towards her life ſhe could give no anſwer thereunto, until ſuch time as the law hath declared whether ſhe was innocent or guilty. Herewithal it was her pleaſure thus far to inform me, that it was a number of the aſſociants that earneſtly preſſed her that the law might proceed againſt her, giving reaſons that ſo long as ſhe was ſuffered to deal in matters, ſo long would never this realm be in quiet, neither her life, neither this ſtate in aſſurance, and in the end they uſed this proteſtation, that if ſhe would not in this matter follow their advice, that they ſhould remain without all blame whatſoever ſhould fall out; whereupon ſhe had granted them liberty to proceed, leſt ſuch as had made the requeſt might hereafter have charged herſelf with inconvenience if any ſhould happen.

And by myſelf I know this her ſpeech to be true, becauſe both papiſt and proteſtant has behaved them, as it hath been her pleaſure to declare, but upon divers reſpects, the one to avoid ſuſpicion that otherwiſe was conceived againſt them, the other upon zeal, and care that they will be known to have for preſervation of their ſovereign's life and ſtate in this perilous time, upon conſideration whereof, I have been conſtrained to enter into ſome dealing with both, wherewith I made her majeſty acquainted; the proteſtants, and ſuch as in other matters will be known to bear no ſmall favour unto your majeſty's ſervice, hath prayed that they may be excuſed from any dealing in the contrary of that, which by their oath they have avowed, and by their ſpeech to their ſovereign requeſted for, and that before my coming in this country; if they ſhould now otherwiſe do, it would produce no better effect but to make them ſubject to the accuſation of their ſovereign, when it ſhould pleaſe her to do it, of their inconſtancy,

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in giving councell whereby they might incur the danger of ill councellors, and be conſequent worthy of puniſhment. Such of the papiſts, as I did deal with, went immediately, and told her majeſty what I had ſpoken to them, who albeit ſhe underſtood the matter of before, ſent for me and declared to me my own ſpeech that I had uttered to them, willing me for the weil of my maiſter's ſervice to abſtain from dealing with ſuch, as were not yet ſufficiently moved to think of my maſter as ſhe did. I craved leave of her majeſty, that I might inform them of your majeſty's late behaviour towards her, and the ſtate of this realm, whereunto with ſome difficulty ſhe gave her conſent. At my late departure from court, which was upon the 5th of this inſtant, and the day after that the lords of this grand jury had taken their leaves of her majeſty to go northward to Fotheringham, it was her pleaſure to promiſe to have further ſpeech in this matter at the returning of the ſaid lords, and to give full anſwer according to your majeſty's contentment to the remainder matters, that I had proponit in name of your majeſty. As to the 2d part concerning the aſſociation, and deſire that the promiſe made to the maſter of Gray concerning your majeſty's title may be fulfilled; it appears by the ſaid letter, that the very point whereupon the queſtion that may bring your majeſty's title in doubt, hath not been rightly at the writing of the ſaid letter conſidered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promiſe made by the queen to the ſaid maſter, and nothing may now cauſe any doubt to ariſe againſt your ſaid title, except that an opinion ſhould be conceived by theſe lords of this parliament that are ſo vehement at this time againſt the queen your majeſty's mother, that your majeſty is, or may be proved hereafter aſſenting to her proceedings, and ſome that love your majeſty's ſervice were of that opinion that too earneſt requeſt might move a ground, whereupon ſuſpicions might grow in men ſo ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majeſty's innocence at this time, and by reaſon that good nature and public honeſty would conſtrain you to intercede for the queen your mother, which would carry with itſelf, without any further, ſome ſuſpicion that might move ill affected men to doubt. In my former letters I humbly craved of your majeſty that ſome learned men in the laws might

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might be moved to adviſe with the words of the aſſociation, and the mitigation contained in the act of parliament, and withall to adviſe what ſuſpicious effects your majeſty's requeſt might work in theſe choleric men at this time, and how their minds might be beſt moved to receive reaſon; and upon all theſe conſiderations they might have formed the words of a declarator of your majeſty's innocence to be obtained in this parliament, and failing thereof, the very words of a proteſtation for the ſame effect that might beſt ſerve for your majeſty's ſervice, and for my better information. Albeit this was my ſimple opinion, I ſhall be contented to follow any direction it ſhall pleaſe your majeſty to give; I have already opened the ſubſtance hereof to the queen of this realm, who ſeems not to be offended herewith, and hath granted liberty to deal therein with ſuch of the parliament as may remain in any doubt of mind. This being the ſum of my proceedings in this matter, beſides the remainder, contained in other letters of ſeveral dates, I am conſtrained to lay the whole open before your majeſty, and to humbly pray that full information may be ſent unto me what further to do herein; in this middle time, while I ſhall receive more ample direction I ſhall proceed and be doing according to ſuch direction as I have already received. And ſo, moſt gracious ſovereign, wiſhing unto your majeſty all happy ſucceſs in your affairs, I humbly take my leave from London, 16th of October, this 1586. Your majeſty's moſt humble ſubject and obed^t ſervant.

A memorial for his Majeſty by the maſter of Gray.

12th Jan. 1586. An original in his own hand in the collect. of ſir A. Dick. Vol. A. fol. 222.

IT will pleaſe your majeſty, I have tho't meeter to ſet down all things as they occur, and all advertiſements as they come to my ears, then jointly in a lettre.

I CAME to Vare the 24th of Dec^r. and ſent to W^m. Keith and Mr. Archibald Douglas to advertiſe the queen of it, like as they did at their audience. She promiſed the queen your majeſty's mother's life ſhould be ſpared till we were heard. The 27th they came to Vare to me, the which day Sir Rob^t. came to Vare, where they ſhewed us how far they had already gone in their negociation, but for that the diſcourſe of it is ſet down in our general letter, I remit me to it, only this far I will teſtify unto your

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your majeſty that W^m. Keith hath uſed himſelf right honeſtly and wiſely till our coming, reſpecting all circumſtances, and chiefly his colleague his dealing, which indeed is not better than your majeſty knows already.

THE 29th day of Dec^r. we came to London, where we were no ways friendly received, nor after the honeſt ſort it has pleaſed your majeſty uſe her ambaſſadors; never man ſent to welcome or convey us. The ſame day we underſtood of Mr. de Bellievre his leave taken, and for that the cuſtom permitted not we ſent our excuſes by Mr. George Young.

THE 1ſt day of January, W^m. Keith and his colleague according to the cuſtom ſent to crave our audience. We received the anſwer contained in the general letter, and could not have anſwer till the 6th day, what was done that day your majeſty has it in the general, yet we was not out of eſperance at that time, albeit we received hard anſwers.

THE 8th day we ſpeak with the earl of Leiceſter, where our conference was, as is ſet down in the general. I remarked this, that he that day ſaid plainly the detaining of the queen of Scotland priſoner was for that ſhe pretended a ſucceſſion to this crown. Judge then by this what is tho't of your majeſty, as ye ſhall hear a little after.

THE 9th day we ſpeak with the French ambaſſador, whom we found very plain in making to us a wiſe diſcourſe of all his proceedings, and Mr. de Bellievre we thanked him in your majeſty's name, and opened ſuch things as we had to treat with this queen, ſave the laſt point, as more largely ſet down by our general.

IT is tho't here, and ſome friends of your majeſty's adviſed me, that Bellievre his negociation was not effectual, and that the reſident was not privy to it, as indeed I think is true, for ſince Bellievre his perting, there is a talk of this Chaſteauneuf his ſervants taken with his whole papers and pacquets, which he was ſending in France, for that they charge him with a conſpiracy of late againſt the queen here her life. It is alledged his ſervant has confeſſed the matter, but whom I ſhall truſt I know not, but till I ſee proof I ſhall account him an honeſt man, for indeed ſo he appears, and one (without doubt) who hath been very inſtant in this matter. I ſhew him that the queen and earl of Leiceſter had deſired to ſpeak with me in

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in private, and craved his opinion; he gave it freely that he tho't it meeteſt, I ſhew him the reaſon why I communicate that to him, for that I had been ſuſpected by ſome of her majeſty's friends in France to have done evil offices in her ſervice, that he ſhould be my witneſs that my earneſt dealing in this ſhould be a ſufficient teſtimony that all was lies, and that this knave Naué who now had betrayed her, had in that done evil offices: he deſired me, ſeeing ſhe ſaw only with other folks eyes, that I ſhould no ways impute it to her, for the like ſhe had done to himſelf by Naué his perſuaſion. I anſwered he ſhould be my witneſs in that.

THE 9th day we ſent to court to crave audience, which we got the 10th day; at the firſt, ſhe ſaid a thing long looked for ſhould be welcome when it comes, I would now ſee your maſter's offers. I anſwered, no man makes offers but for ſome cauſe; we would, and like your majeſty, firſt know the cauſe to be extant for which we offer, and likewiſe that it be extant till your majeſty has heard us. I think it be extant yet, but I will not promiſe for an hour, but you think to ſhift in that ſort. I anſwered we mind not to ſhift, but to offer from our ſovereign all things that with reaſon may be; and in ſpecial, we offered as is ſet down in our general, all was refuſed and tho't nothing. She called on the three that were in the houſe, the earl of Leiceſter, my lord admiral, and chamberlain, and very deſpitefully repeated all our offers in preſence of them all. I opened the laſt part, and ſaid, Madam, for what reſpect is it that men deal againſt your perſon or eſtate for her cauſe? She anſwered, becauſe they think ſhe ſhall ſucceed to me, and for that ſhe is a papiſt; appearingly ſaid I both the cauſes may be removed, ſhe ſaid ſhe would be glad to underſtand it. If, Madam, ſaid I, all that ſhe has of right of ſucceſſion were in the king our ſovereign's perſon, were not all hope of papiſts removed? She anſwered, I hope ſo, Then, madam, I think the queen his mother ſhall willingly demit all her rights in his perſon. She anſwered ſhe hath no right, for ſhe is declared unhabil. Then I ſaid, if ſhe have no right, appearingly the hope ceaſes already, ſo that it is not to be feared that any man attempt for her. The queen anſwered, but the papiſts allow not our declaration; then let it fall, ſays I, in the king's perſon by her aſſignation. The earl of Leiceſter anſwered, ſhe is a priſoner, and how can ſhe demit? I anſwered the demiſſion is to her ſon, by the advice of all the friends ſhe

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has in Europe, and in caſe, as God forbid, that any attempt cuttis the queen here away, who ſhall party with her to prove the demiſſion or aſſignation to be ineffectual, her ſon being oppoſite party and having all the princes her friends for him, having bonded for the efficacy of it with his majeſty of before. The queen made as ſhe could not comprehend my meaning, and ſir Robt. opened the matter again, ſhe yet made as tho' ſhe underſtood not. So the earl of Leiceſter anſwered that our meaning was, that the king ſhould be put in his mother's place. Is it ſo, the queen anſwered, then I put myſelf in a worſe caſe than of before; by God's paſſion, that were to cut my own throat, and for a dutchy, or an earldom to yourſelf, you or ſuch as you would cauſe ſome of your deſperate knaves kill me. No, by God, he ſhall never be in that place. I anſwered, he craves nothing of your majeſty but only of his mother. The Earl of Leiceſter anſwered that were to make him party to the queen my miſtreſs. I ſaid, he will be far more party, if he be in her place thro' her death. She would ſtay no longer, but ſaid ſhe ſhould not have a worſe in his mother's place. And ſaid, tell your king what good I have done for him in holding the crown on his head ſince he was born, and that I mind to keep the league that now ſtands between us, and if he break it ſhall be a double fault, and with this minded to have bidden us a farewell; but we atchevit [i.e. finiſhed arguing upon this point]. And I ſpake craving of her that her life may be ſpared for 15 days; ſhe refuſed. Sir Robt. craved for only eight days, ſhe ſaid not for an hour; and ſo geid her away. Your majeſty ſees we have delivered all we had for offers, but all is for nothing, for ſhe and her councel has laid a determination that they mind to follow forth, and I ſee it comes rather of her councel than herſelf, which I like the worſe; for without doubt, ſir, it ſhall cut off all friendſhip ye had here. Altho' it were that once they had meaned well to your majeſty, yet remembering themſelves, that they have medled with your mother's blood, good faith they cannot hope great good of yourſelf, a thing in truth I am ſorry for; further your majeſty may perceive by this laſt diſcourſe of that I proponit, if they had meaned well to your majeſty, they had uſed it otherwiſe than they have done, for reaſon has bound them. But I dare not write all. I mind ſomething to ſpeak in this matter, becauſe we look ſhurly our letters ſhall be truſſit by the way.

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For that I see private credit nor no means can alter their determination, altho' the queen again and the earl of Leicester has desired to speak with me in particular; I mind not to speak, nor shall not; but assuredly shall let all men see that I in particular was no ways tyed to England, but for the respect of your majesty's service. So albeit, at this time, I could not effectuate that I desired, yet my upright dealing in it shall be manifested to the world. We are, God willing, then to crave audience, where we mind to use sharply our instructions, which hitherto we have used very calmly, for we can, for your honour's cause, say no less for your majesty, than the French ambassador has said for his master.

So I pray your majesty consider my upright dealing in your service, and not the effect, for had it been doable [i. e. possible to be done] by any I might have here had credit, but being I came only for that cause I will not my credit shall serve here to any further purpose. I pray God preserve your majesty and send you a true and sincere friendship. From London this 12th of Jan. 1586.

I UNDERSTAND the queen is to send one of her own to your majesty.

To the right hon. my lord vice-chancellor and secretary to his Majesty, from the master of Gray.

MY lord, I send you these lines with this inclosed to his majesty, whereby your lordship shall understand how matters goes here. And before all things I pray your lordship move his majesty to respect my diligence, and not the effect in this negociation, for I swear if it had been for the crown of England to myself I could do no more, and let not unfriends have advantage of me, for the world shall see that I loved England for his majesty's service only. I look shortly to find your lordship friend as ye made promise, and by God I shall be to you if I can. Wm. Keith and I devyset, if matters had gone well, to have run a course that your lordship might have here been in credit and others disappointed, but now I will do for you as for myself; which is to care for no credit here, for in conscience they mean not honestly to the king our sovereign, and if they may, he will go the get his mother is gone or shortly to go, therefore my lord without all kind of scruple I pray you to advise him the best is not this way. They

12th Jan. 1586. An original in the collect. of Sir A. Dick. Vol. A. fol. 179.

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They ſay here, that it has been ſaid by one who heard it from you, that ye deſired not the king and England to agree, becauſe it would rack the nobleman, and gave an example of it by king James the fourt, I anſwered in your name that I was aſſured you never had ſpoken it. Mr. Archibald is the ſpeaker of it, who I aſſure your lordſhip has been a poiſon in this matter, for they lean very mickle to his opinion. He cares not, he ſays, for at length the king will be fain to deal this way, either by fair means or neceſſity, ſo that when he deals this courſe he is aſſured to be welcome; to ſet down all that is paſt of the like purpoſes, it would conſume more paper than I have here, ſo I defer it to meeting. There is a new conſpiracy alledged againſt the queen to have been intended, for the French ambaſſador reſident three of his men taken, but I think in the end it ſhall prove nothing. Mr. Stafford who is ambaſſador for this queen in France, is touched with it, his brother is taken here, always it has done this harm in our negociation, that all this council would not move this queen to meddle with the queen of Scotland's blood, till this invention was found forth. I remit all other things to the incloſed. We minded to have ſent to his majeſty a diſcourſe, which we have ſet down of all our proceedings ſince our hither coming, but we are ſurely advertized that the bearer is to be truſſed by the way for our pacquets, ſo that we defer it till our own coming; this I have put in a privy part beſide the pacquet. We ſhall I think take leave on Fryday the 13th day, where we mind exactly to follow the rigour of our inſtructions, for it cannot ſtand with the king's honour that we ſay leſs than the French ambaſſador, which was, le roy mon maiſtre ne peult moins faire que ſe reſentir. So that about the 24th I think we ſhall, God willing, be at home, except that ſome ſtay come which we look not for. The queen and the earl of Leiceſter has deſired to ſpeak with me. I refuſed ſave in preſence of my colleagues, by reaſon I ſee a determination which particular credit cannot help, and I crave no credit but for that cauſe. It will pleaſe your lordſhip retire the incloſed from his majeſty and keep it. So after my ſervice commended to yourſelf and bedfellow, I commit you to God. From London the 12th of Jan. 1586.

To

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To the king's majesty, from sir Robert Melvil.

IT may please your majesty, since the direction of our former letters, we had audience, and her majesty appeared to take our overtures in good part in presence of her council; albeit no offers could take place with them, having taken resolution to proceed with extremity, not the less it pleased her majesty to desire us to stay for two days on taking our leave, untill she had advised upon our propositions; since which time, her majesty is become more hard by some letters (as we are informed) has come from Scotland, making some hope to believe that your majesty takes not this matter to heart, as we know the contrary in effect, and had of before removed the like opinion out of her majesty's mind, which by sinister information was credited, thir reports has hindered our commission, and abused this queen, fearing in like manner we shall be stayed until answer come from Scotland by such person as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majesty takes this proceeding to heart, the truth is, that they have by this occasion so persuaded the queen, that it is like to hinder our negotiation. As also Alchinder (i. e. Alexander) Steward is to be directed in their party, by our knowledge, who has awantyt more of his credit, than I believe he may perform, and we willed him to desist from this dealing, saying it does harm, and he is not meet for that purpose, remitting to your majesty's good discretion to take order herein as we shall be answerable to your majesty not to omit any point we have in charge, as the truth is, the master of Grhaye has behaved himself very uprightly and discreetly in this charge, and evil tayne with be divers in these parts who were of before his friends. We have been behalding to the menstrals who has born us best company, but has not been troubled with others. Wylzeme Kethe hath left nothing undone that he had in charge. As for master Archibald he has promised at all times to do his dewoyr, wherein he shall find true report made to your majesty, craving pardon of your majesty that I have been so tedious, after I have kissed your majesty's hand I humbly take my leave. Praying God to grant your majesty many good days and happy, in whose protection I commit your majesty at London, the 20th of Jan. 1586.

20th Jan. 1585. An original in his own hand, in the collect. of sir A Dick. Vol. A. fol. 181.

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SIR,

ALBEIT Maſter George has not been in commiſſion, he is not inferior in his ſervice to any of us, as well by his good advice and diligent care he takes for the advancement of your ſervice, wherein we have not been a little furthered.

To the king's majeſty, from the maſter of Gray and ſir Robert Melvill.

21ſt Jan. 1586. An original in the collect. of ſir A. Dick. Vol. A. fol. 180.

PLEASE it your majeſty in the laſt audience we had, ſince our laſt advertiſement by W^m. Murray, we find her majeſty at the reſuming our offers ſomething mitigated, and inclined to conſider more deeply of them, before we got our leave, at our reaſoning, certain of the counc'l, namely, my lord of Leiceſter, ſir Chriſtopher Haton, my lord Hunſdon, and my lord Hawart being preſent in the chamber, gave little ſhow of any great contentment to have her from her former reſolution, now caſſin in perplexitie what ſhe ſhould do, always we left her in that ſtate, and ſince we have daily preſſed conference with the whole council, which to this hour we have not yet obtained. This day we have ſent down to crave our leave. The greateſt hinder which our negotiation has found hitherto is a perſuaſion they have here that either your majeſty deals ſuperficially in this matter, or that with time ye may be moved to digeſt it, which when with great difficulty we had expugnit, we find anew that certain letters written to them of late from Scotland has found ſome place of credit with them in our contrare. So that reſolving now to clear them of that doubt by a ſpecial meſſage, they have made choice of ſir Alexander Stewart to try your highneſs's meaning in it, and to perſuade your majeſty to like of their proceedings, wherefrom no terror we can ſay out unto him is able to divert him, he has given out that he has credit with your majeſty, and that he doubts not to help this matter at your highneſs's hand. If he come there that errand, we think your majeſty will not overſee the great diſgrace that his attempts ſhall give us here, if he be not tane order with before that he be further heard, and if ſo be that any other be directed (as our intelligence gives us there ſhall) our humble ſuit is to

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your majeſty, that it may pleaſe your highneſs to hear of us what we find here, and at what point we leave this matter with her majeſty, before that they find accidence, the cauſes whereof remitting to our private letters. We commit your majeſty for the preſent to God's eternal protection. From London this 21ſt of Jan. 1586.

No. LI. (Vol. III. p. 65.)

Copy of a letter from the earls of Shrewſbury and Kent, &c. touching their proceedings with regard to the death of the Scottiſh queen, to her majeſty's council.

IT may pleaſe your hon^ble good lordſhips to be advertiſed, that, on Saturday the 4th of this preſent, I Robert Beale came to the houſe of me the earl of Kent in the county of —— to whom your lordſhip's letter and meſſage was delivered, and her majeſty's commiſſion ſhewn; whereupon I the earl forthwith ſent precepts for the ſtaying of ſuch hues and crie as had troubled the country, requiring the officers to make ſtay of all ſuch perſons, as ſhould bring any ſuch warrants without names, as before had been done, and to bring them to the next juſtice of peace, to the intent that, upon their examination, the occaſion and cauſes of ſuch ſeditious bruites might be bolted out and known. It was alſo reſolved that I the ſaid earl of Kent ſhould, on the Monday following, come to Lylford to Mr. Elmes, to be the nearer and readier to confer with my lord of Shrewſbury. Sunday at night, I Robert Beale came to Fotheringay, where after the communicating the commiſſion, &c. unto us ſir Amice Pawlet and ſir Drue Drury, by reaſon that ſir A. Pawlet was but late recovered and not able to repair to the earl of Shrewſbury, being then at Orton, ſix miles off; it was thought good that we ſir Drue Drury and Robert Beale ſhould go unto him, which we did on —— morning; and together with the delivery of her majeſty's commiſſion, and your lordſhip's letter imparted unto him what both the earl of Kent and we thought meet to be done in the cauſe, praying his lordſhip hither the day following, to confer with me the ſaid earl, concerning the ſame; which his lordſhip

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promiſed. And for the better colouring of the matter, I the ſaid earl of Shrewſbury ſent to Mr. Beale, a juſtice of peace of the county of Huntingdon next adjoining, to whom I communicated that warrant, which Robert Beale had under your lordſhip's hands, for the ſtaying of the hues and cries, requiring him to give notice thereof to the town of Peterborough, and eſpecially unto the juſtices of peace of Huntingdonſhire, and to cauſe the purſuers and bringers of ſuch warrants to be ſtayed, and brought to the next juſtice of peace; and to bring us word to Fotheringay caſtle on Wedneſday morning what he had done, and what he ſhould in the mean time underſtand of the authors of ſuch bruites. Which like order, I alſo ſir Amias Pawlet had taken on Monday morning in this town, and other places adjoining. The ſame night, the ſheriff of the county of Northampton upon the receipt of your lordſhip's letter came to Arundel, and letters were ſent to me the earl of Kent of the earl of Shrewſbury's intention and meeting here on Tueſday by noon; and other letters were alſo ſent with their lordſhips aſſent to ſir Edward Montagu, ſir Richard Knightly, Mr. Tho. Brudenell, &c. to be here on Wedneſday by eight of the clock in the morning, at which time it was thought meet that the execution ſhould be. So upon Tueſday, we the earls came hither, where the ſheriff met us; and upon conference between us it was reſolved, that the care for the ſending for the ſurgeons, and other neceſſary proviſion ſhould be committed unto him againſt the time. And we forthwith repaired unto her, and firſt in the preſence of herſelf and her folks, to the intent that they might ſee and report hereafter that ſhe was not otherwiſe proceeded with than according to law, and the form of the ſtatute made in the 27th year of her majeſty's reign, it was thought convenient that her majeſty's commiſſion ſhould be read unto her, and afterwards ſhe was by ſundry ſpeeches willed to prepare herſelf againſt the next morning. She was alſo put in remembrance of her fault, the honourable manner of proceeding with her, and the neceſſity that was impoſed upon her majeſty to proceed to execution, for that otherwiſe it was found that they could not both ſtand together; and however, ſithence the lord Backhurſt's his being here new conſpiracys were attempted, and ſo woud be ſtill; wherefore ſince ſhe had now a good while fine warning, by the ſaid lord and Robert Beale, to think upon

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upon and prepare herſelf to die, we doubted not but that ſhe was, before this, ſettled, and therefore would accept this meſſage in good part. And to the effect that no chriſtian duty might be ſaid to be omitted, that might be for her comfort, and tend to the ſalvation both of her body and ſoul in the world to come, we offered unto her that if it would pleaſe her to confer with the biſhop and dean of Peterborough, ſhe might; which dean, we had, for that purpoſe, appointed to be lodged within one mile of that place. Hereto ſhe replied, croſſing herſelf in the name of the Father, the Son, and the Holy Ghoſt, ſaying that ſhe was ready to die in the catholic Roman faith, which her anceſtors had profeſſed, from which ſhe would not be removed. And albeit we uſed many perſuaſions to the contrary, yet we prevailed nothing; and therefore, when ſhe demanded the admittance of her prieſt, we utterly denied that unto her. Hereupon, ſhe demanded to underſtand what anſwer we had touching her former petition to her majeſty, concerning her papers of accounts, and the beſtowing of her body. To the firſt we had none other anſwer to make, but that we thought if they were not ſent before, the ſame might be in Mr. Waade's cuſtody, who was now in France, and ſeeing her papers could not any wiſe pleaſure her majeſty, we doubted not but that the ſame would be delivered unto ſuch as ſhe ſhould appoint. For, for our own parts, we undoubtedly thought that her majeſty would not make any profit of her things, and therefore (in our opinions) ſhe might ſet down what ſhe would have done, and the ſame ſhould be imparted unto her majeſty, of whom both ſhe and others might expect all courteſy. Touching her body, we knew not her majeſty's pleaſure, and therefore could neither ſay that her petition ſhould be denied, or granted. For the practice of Babington, ſhe utterly denied it, and would have inferred it that her death was for her religion; whereunto it was eftſoons by us replied, that for many years ſhe was not touched for religion, nor ſhould have been now, but that this proceeding againſt her was for treaſon, in that ſhe was culpable of that horrible conſpiracy for deſtroying her majeſty's perſon; which ſhe again denied, adding further that albeit ſhe for herſelf forgave them that were the procurers of her death, yet ſhe doubted not but that God would take vengeance thereof. And being charged with the depoſitions of Naué and Curle to prove it againſt her,

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she replied, that she accused none, but that hereafter when she shall be dead, and they remain alive, it shall be seen how indifferently she had been dealt with, and what measure had been used unto her; and asked whether it had been heard before this, that servants had been practised to accuse their mistress, and hereupon also required what was become of them, and where they remained.

Upon our departure from her, for that it seemed by the commission, that the charge of her was in the disposition of us the earls, we required S. Amias Paulet and S. Drue Drurie, to receive, for that night, the charge which they had before, and to cause the whole number of soldiers to watch that night, and that her folks should be put up, and take order that only four of them should be at the execution, remaining aloof of and guarded with certain persons so as they should not come near unto her, which were Melvill her steward, the physician, surgeon, and apothecary.

Wednesday morning, after that we the earls were repaired unto the castle, and the sheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were present, we which have signed this letter, Mr. Henry Talbot, esq. sir Edward Montague, knt. his son and heir apparent, and William Montague his brother, sir Richard Knichtly, knt. Mr. Thomas Brudenell, Mr. Beuill, Mr. Robert and John Wingefield, Mr. Forrest, and Rayner, Benjamin Piggot, Mr. Dean of Peterborough, and others.

At the stairfold, she paused to speak to Melvil in our hearing, which was to this effect, "Melvil, as thou hast been an honest servant to me, so I pray thee continue to my son, and commend me unto him. I have not impugn'd his religion, nor the religion of others, but wish him well. And as I forgive all that have offended me in Scotland, so I would that he should also; and beseech God, that he would send him his Holy Spirit, and illuminate him." Melvil's answer was, that he would so do, and at that instant he would beseech God to assist him with his spirit. Then she demanded to speak with her priest, which was denied unto her, the rather for that she came with a superstitious pair of beads and a crucifix. She then desired to have her women to help her, and upon her earnest request, and saying that when other gentlewomen were executed,

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ecuted, she had read in chronicles that they had women allowed unto them, it was permitted that she should have two named by herself, which were Mrs. Curle and Kennedy. After she came to the scaffold, first in presence of them all, her majesty's commission was openly read; and afterwards Mr. Dean of Peterborough, according to a direction which he had received, the night before, from us the earls, wou'd have made a godly admonition to her, to repent and die well in the fear of God and charity to the world. But at the first entry, she utterly refused it, saying that she was a catholique, and that it were a folly to move her being so resolutely minded, and that our prayers would little avail her. Whereupon, to the intent it might appear that we, and the whole assembly, had a christian desire to have her die well, a godly prayer, conceived by Mr. Dean, was read and pronounced by us all. "That it would please Almighty God to send her his Holy Spirit and grace, and also, if it were his will, to pardon all her offences, and of his mercy to receive her into his heavenly and everlasting kingdom, and finally to bless her majesty, and confound all her enemies;" whereof Mr. Dean minding to repair up shortly, can shew your lordships a copy.

This done, she pronounced a prayer upon her knees to this effect, "to beseech God to send her his Holy Spirit, and that she trusted to receive her salvation in his blood, and of his grace to be received into his kingdom, besought God to forgive her enemies, as she forgave them; and to turn his wrath from this land, to bless the queen's majestie, that she might serve him. Likewise to be merciful to her son, to have compassion of his church, and altho' she was not worthy to be heard, yet she had a confidence in his mercy, and prayed all the saints to pray unto her Saviour to receive her." After this (turning towards her servants) she desired them to pray for her, that her Saviour would receive her. Then, upon petition made by the executioners, she pardoned them; and said, she was glad that the end of all her sorrows was so near. Then she disliked the whinning and weeping of her women, saying that they rather ought to thank God for her resolution, and kissing them, willed them to depart from the scaffold, and farewell. And so resolutely kneeled down, and having a kercheff banded about her eyes, laid down her neck, whereupon the executioner proceeded. Her servants were incontinently removed, and order taken that

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none should approach unto her corps, but that it should be embalmed by the surgeon appointed. And further her cross, apparel, and other things are retained here, and not yielded unto the executioner for inconveniences that might follow, but he is remitted to be rewarded by such as sent him hither.

THIS hath been the manner of our dealings in this service, whereof we have thought good to advertise your lordships, as particularly as we could, for the time, and further have thought good to signify unto your lordships besides, that for the avoiding of all sinister and slanderous reports that may be raised to the contrary, we have caused a note thereof to be conceived to the same effect in writing, which we the said lords have subscribed, with the hands of such other there the knights and gentlemen above named that were present at the action. And so beseeching almighty God long to bless her majesty with a most prosperous reign, and to confound all his, and her enemies, we take our leaves. From Fotheringay-castle, the 8th of February 1586, in hast.

Your lordships at commandment.

N. B. This, as well as several other papers in this Appendix, is taken from a collection made by Mr. Crawfurd of Drumsoy, historiographer to queen Anne, now in the library of the faculty of Advocates. Mr. Crawford's transcriber has omitted to mention the book in the Cott. Lib. where it is to be found.

No. LII. (Vol. III. p. 70.)

The objections against Mr. Davison, in the cause of the late Scottish queen, must concern things done either, 1, Before her trial at Fotheringay. 2. During that session. 3. After the same.

Cott. Lib. Cal. C. 1.

1. BEFORE her trial, he neither is, nor can be charged to have had any hand at all in the cause of the said queen, or done any thing whatsoever concerning the same directly or indirectly.

2. DURING that session, he remained at court, where the only interest he had therein, was as her majesty's secretary,

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cretary, to receive the letters from the commiſſioners, impart them to her highneſs, and return them her anſwers.

3. AFTER the return thence, of the ſaid commiſſioners, it is well known to all her council,

1. THAT he never was at any deliberation or meeting whatſoever, in parliament, or council, concerning the cauſe of the ſaid queen, till the ſending down of her majeſty's warrant unto the commiſſioners, by the lords and others of her council.

2 THAT he was no party in ſigning the ſentence paſſed againſt her.

3. THAT he never penned either the proclamation publiſhing the ſame, the warrant after her death, nor any other letter, or thing whatſoever concerning the ſame. And,

THAT the only thing which can be ſpecially and truly imputed to him, is the carrying up the ſaid warrant unto her majeſty to be ſigned. She ſending a great counſellor unto him, with her pleaſure to that end, and carrying it to the great ſeal of England, by her own ſpecial direction and commandment.

FOR the better clearing of which truth, it is evident,

1. THAT the letter, being penned by the lord treaſurer, was delivered by him unto Mr. Daviſon, with her majeſty's own privity, to be ready for to ſign, when ſhe ſhould be pleaſed to call for it.

2. THAT being in his hands, he retained it at the leaſt five or ſix weeks unpreſented, nor once offering to carry it up, till ſhe ſent a great counſellor unto him for the ſame, and was ſharply reproved therefor by a great peer, in her majeſty's own preſence.

3. THAT having ſigned it, ſhe gave him an expreſs commandment to carry it to the ſeal, and being ſealed to ſend it immediately away unto the commiſſioners, according to the direction. Herſelf appointing the hall of Fotheringay for the place of execution, miſliking the court-yard, in divers reſpects, and in concluſion abſolutely forbad him to trouble her any further, or let her hear any more hereof, till it was done. She, for her part, having (as ſhe ſaid) performed all that, in law or reaſon, could be required of her.

4. WHICH

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4. WHICH directions notwithſtanding, he kept the warrant ſealed all that night, and the greateſt part of the next day in his hands, brought it back with him to the court, acquainted her majeſty withal, and finding her majeſty reſolved to proceed therein, according to her former directions, and yet deſirous to carry the matter ſo, as ſhe might throw the burthen from herſelf, he abſolutely reſolved to quit his hands thereof.

5. AND hereupon went over unto the lord treaſurer's chamber, together with Mr. vice-chamberlain Hatton, and in his preſence reſtored the ſame into the hands of the ſaid lord treaſurer, of whom he had before received it, who from henceforth kept it, till himſelf and the reſt of the council ſent it away.

WHICH, in ſubſtance and truth, is all the part and intereſt the ſaid Daviſon had in this cauſe, whatſoever is, or may be pretended to the contrary.

TOUCHING the ſending down thereof unto the commiſſioners, that it was the general act of her majeſty's council (as is before-mentioned) and not any private act of his, may appear by,

1. THEIR own confeſſion. 2. Their own letters ſent down therewith to the commiſſioners. 3. The teſtimonies of the lords and others to whom they were directed. As alſo, 4. of Mr. Beale, by whom they were ſent. 5. The tenor of her majeſty's firſt commiſſion for their calling to the ſtar-chamber for the ſame, and private appearance and ſubmiſſion afterward inſtead thereof before the lord chancellor Bromley. 6. The confeſſion of Mr. Attorney general in open court confirmed. 7. By the ſentence itſelf upon record. 8. Beſides a common act of council, containing an anſwer to be verbally delivered to the Scottiſh ambaſſador then remaining here, avowing and juſtifying the ſame.

Now where ſome ſuppoſe him to have given ſome extraordinary furtherance thereunto, the contrary may evidently appear by,

1. HIS former abſolute refuſal to ſign the band of aſſociation, being earneſtly preſſed thereunto by her majeſty's ſelf.

2. HIS excuſing of himſelf from being uſed as a commiſſioner, in the examination of Babington and his complices, and avoiding the ſame by a journey to the Bath.

3. His

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3. His being a mean to ſtay the commiſſioners from pronouncing the ſentence at Fotheringay, and deferring it till they ſhould return to her majeſty's preſence.

4. His keeping the warrant in his hands ſix weeks unpreſented, without once offering to carry it up, till her majeſty ſent expreſsly for the ſame to ſign.

5. His deferring to ſend it away after it was ſealed unto the commiſſioners, as he was ſpecially commanded, ſtaying it all that night, and the greateſt part of the next day in his hands.

6. And finally, his reſtoring thereof into the hands of the lord treaſurer, of whom he had before received the ſame.

Which are clear and evident proofs, that the ſaid Daviſon did nothing in this cauſe whatſoever, contrary to the duty of the place he then held in her majeſty's ſervice.

Cal. C. 9.

This ſeems to be an original. On the back is this title,

The innocency of Mr. Daviſon in the cauſe of the late Scottiſh queen.

No. LIII. (Vol. III. p. 173.)

Letter from Θ, to his majeſty King James[b].

From the original. Bibl. Fac. Jur. Edin. A. 1. 34. No. 4.

MOST worthy prince, the depending dangers upon your affectionates, have been ſuch, as hath inforced ſilence in him, who is faithfully devoted to your perſon, and in due time of trial, will undergo all hazards of fortune for the maintenance of the juſt regal rights, that, by the laws divine, of nature and of nations, is inveſted in your royal perſon. Fall not then, moſt noble and renowned prince, from him whoſe providence hath in many dangers preſerved you, no doubt to be an inſtrument of his glory, and the good of his people. Some ſecrets, I find, have been revealed to your prejudice, which muſt proceed from ſome ambitious violent ſpirited perſon near your majeſty in council and favour; no man in particular will I accuſe, but I am ſure it hath no found-

[b] In the former editions, I printed this as a letter from ſir Robert Cecil: but am now ſatisfied that I was miſtaken in forming this opinion. See ſir D. Dalrymple's Rem. on the Hiſt. of Scot. p. 233. As the letter is curious, I republiſh it, though I cannot pretend to ſay to which of the king's numerous correſpondents in England it ſhould be aſcribed.

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ation from any, with whom, for your ſervice, I have held correſpondence; otherwiſe, I had, long ſince, been diſabled from performance of thoſe duties, that the thoughts of my heart endeavoureth; being only known to this worthy nobleman, bearer hereof, one noted in all parts of Chriſtendom for his loyalty to your perſon and ſtate, and to Mr. David Fowlis your moſt loyal ſervant, my firſt and faithful correſpondent; and unto James Hudſone, whom I have found in all things that concern you, moſt ſecret and aſſured. It may, therefore, pleaſe your majeſty, at the humble motion of ⊖, which jargon I deſire to be the indorſement of your commands unto me, that, by ſome token of your favour, he may underſtand in what terms you regard his fidelity, ſecrecy, and ſervice. My paſſionate affection to your perſon (not as you are a king, but as you are a good king, and have juſt title, after my ſovereign, to be a great king) doth tranſport me to preſumption. Condemn not, moſt noble prince, the motives of care and love, altho' mixed with defects in judgment.

1. I, THEREFORE, firſt beſeech your majeſty, that for the good of thoſe whom God, by divine Providence, hath deſtined to your charge, that you will be pleaſed to have an extraordinary care of all practicers or practices, againſt your perſon; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that deſire to have their ſovereign in minority, whereby the ſovereignty and ſtate might be ſwayed by partiality of ſubalternate perſons, rather than by true rule of power and juſtice. Preſerve your perſon, and fear not the practices of man upon the point of your right, which will be preſerved and maintained againſt all aſſaults of competition whatever. Thus I leave the protection of your perſon and Royal poſterity to the Almighty God of Heaven, who bleſs and preſerve you and all yours, in all regal happineſs to his glory.

2. NEXT to the preſervation of your perſon, is the converſation and ſecret keeping of your councells, which, as I have ſaid, are often betrayed and diſcovered, either out of pretended zeal in religion, turbulent faction, or baſe conception, the which your majeſty is to regard with all circumſpection, as a matter most dangerous to your perſon and ſtate, and the only means to ruin and deſtroy all thoſe that ſtand faithfully devoted to your majeſty's ſervice. Some particulars, and perſons of this nature, I make no doubt have been diſcovered by the endeavours of

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this nobleman, the bearer hereof, of whom your majeſty may be further informed.

3. THE third point conſiderable is that your majeſty, by all means poſſible, ſecure yourſelf of the good affection of the French king and ſtates, by the negotiation of ſome faithful ſecret confident; the French naturally diſtaſting the union of the Britiſh iſlands under one monarch. In Germany, I doubt not, but you have many allies and friends, but by reaſon of their remote ſtate, they do not ſo much importe this affair, which muſt be guided by a quick and ſudden motion.

4. WHEN God, by whoſe Providence the period of all perſons and times is determined, ſhall call to his kingdom of glory her majeſty (although I do aſſuredly hope that there will not be any queſtion in competition, yet for that I hold it not fitting to give any minute entrance into a cauſe of ſo high a nature), I do humbly beſeech your majeſty to deſign a ſecret, faithful and experienced confident ſervant of yours, being of an approved fidelity and judgment, continually to be here reſident, whoſe negotiation, it were convenient your majeſty ſhould fortifie, with ſuch ſecret truſt and powers, as there may not need 14 days reſpite to poſt for authority, in a cauſe, that cannot endure ten hours reſpite, without varieties of danger. In the which it is to be conſidered, that all ſuch as pretend leaſt good to your eſtabliſhment, will not in public oppugn your title, but out of their cunning ambition will ſeek to gain time, by alledging their pretence of common good to the ſtate, in propounding of good conditions for diſburthening the common weale, of divers hard laws, heavy impoſitions, corruptions, oppreſſions, &c. which is a main point to lead the popular, who are much diſguſted with many particulars of this nature. It were therefore convenient, that theſe motives, out of your majeſty's providence ſhould be prevented, by your free offer in theſe points following, viz.

1. THAT your majeſty would be pleaſed to aboliſh purveyors and purveyance, being a matter infinitely offenſive to the common people, and the whole kingdom, and not profitable to the prince.

2. THAT your majeſty would be pleaſed to diſſolve the court of wards, being the ruin of all the noble and ancient families of this realm, by baſe matches, and evil education of their children, by which no revenue of the crown will be defrayed.

3. THE

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3 THE abrogating the multiplicity of penal laws, generally repined againſt by the ſubject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretation.

4. THAT your majeſty will be pleaſed to admit free outport of the native commodities of this kingdom, now often reſtrained by ſubalternate perſons for private profit, being moſt prejudicial to the commerce of all merchants, and a plain deſtruction to the true induſtry and manufacture of all kingdoms, and againſt the profit of the crown.

THESE, being by your majeſty's confidents in the point of time propounded, will aſſuredly confirm unto your majeſtie the hearts and affections of the whole kingdom, and abſolutely prevent all inſinuations and devices of deſigned patriots, that, out of pretext of common good, would ſeek to patronize themſelves in popular opinion and power, and thereby to derogate from your majeſty's bounty and free favour by princely merit of your moderation, judgment, and juſtice.

YOUR majeſty's favour, thus granted to the ſubject, will no way impeach the profits of the crown but advance them. The diſproportionable gain of ſome chequer officers, with the baſe and mercenary profits of the idle unneceſſary clerks and attendants, will only ſuffer ſome detriment; but infinite will be the good unto the kingdom, which will confirm unto your majeſty the univerſal love and affection of the people, and eſtabliſh your renown in the higheſt eſteem to all poſterity.

THE Lord preſerve your majeſtie, and make you triumphant over all your enemies.

MY care over his perſon, whoſe letters paſs in this pacquet, and will die before he leave to be yours, ſhall be no leſs than of mine own life, and in like eſteem I will hold all your faithful confidents, notwithſtanding I will hold myſelf reſerved from being known unto any of them, in my particular devoted affections unto your majeſty, only this extraordinary worthy man, whoſe aſſociate I am in his misfortune, doth know my heart, and we both will pray for you, and if we live you ſhall find us together.

I BESEECH your majeſty burn this letter, and the others; for altho' it be in an unuſual hand, yet it may be diſcovered.

Your majeſty's moſt devoted,
and humble ſervant,

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